The Story of California

Henry K. Norton

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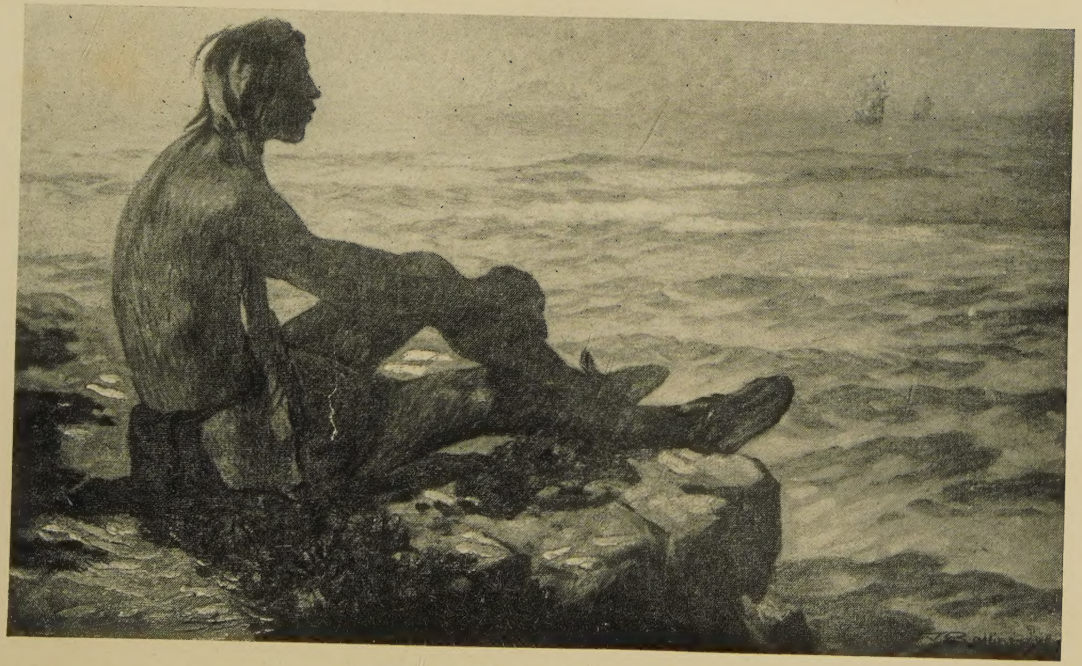

"THE COMING OF CABRILLO"

(From the oil painting by W. E. Rollins)

THE STORY *of* CALIFORNIA

FROM THE EARLIEST DAYS TO THE PRESENT

BY

HENRY K. NORTON

CHICAGO

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TO MY WIFE

PREFACE

The present work is the result of an endeavor to bring within the limits of one volume the narrative of all the important events which make up the history of the state of California, in order that it may be available to the many who have not the time nor the inclination to read through the vast amount of print which contains the record.

H. K. N.

Los Angeles, California.

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The Story of California

CHAPTER I

CALIFORNIA IN 1540

IN the year 1540 little was known of the newly discovered continent of America. Speculation took the place of accurate knowledge of facts. Mexico and Central America had been subjugated and to some extent explored, but the main body of the northern continent was almost wholly unknown. On the western slope of the vast mountain range which divides the continent, facing the great Pacific Ocean, what is now the state of California lay asleep while the country was inhabited by human beings low in the scale of mankind.

The hills and valleys of California were more thickly peopled than was any other part of the continent. The number of Indians at that time living within the boundaries of the present state has been estimated at 700,000, but they were in the main only a mass of peoples ranging the country without center, and with little government or control. Except in the northern portion of

the state, there were not even tribes in the ordinary meaning of the term. The family was the nearest approach to a social unit, and each family was for the most part wholly independent. Even language was no tie, for there were found among them many tongues and a confusion of dialects which set at defiance the efforts of the ethnologists. Around San Francisco Bay alone there were nineteen languages in use. Nor did war bring the people into contact with each other to any extent, for war was by most of them sedulously avoided.

It is strange and so far inexplicable that there should be found here, surrounded by peoples in a much higher position in the human scale, a race so little above the brutes. On the north were numerous tribes of hunters and traders; to the east were peoples who, because of their activity and courage, have won from the white man the appellation of "the noble savage;" southeast of them the beginnings of a crude civilization had been made; and to the south lived a race which had established a civilization which had made considerable progress. Yet here on the shores of the Pacific, in what was apparently the most favored situation of all, there was a people with little coherence, organization, or religion.

The California Indians, or Diggers,* are not susceptible of division into tribes for separate de-

*The name "Digger" was a merited term of reproach given these Indians because of their habit of digging for roots, which formed one of the principal articles of their diet.

scription. Their general characteristics were much the same all over the territory if some broad distinctions are borne in mind. There was a small district at the northern end of the state which was inhabited by people who were of a higher type than those of the remaining districts and who were more closely allied to the Oregonians than to the Californians proper. The principal tribes of this region were the Klamaths, Modocs, and Shastas. South of these, occupying the central portion of the state as far south as Point Concepcion, was another group, the lowest of all, of which the Tehamas, Ukiahs, and Petalumas were principal divisions. While these names may be correctly applied to certain districts, they represent no unity of government. The people of this group were spread over the country in innumerable *rancherias* or villages. The remaining part of the state was inhabited by a third group, more highly developed than the second though, with two exceptions, inferior to the northern group. These exceptions were the Yumas, who lived in the extreme southeastern corner, and the natives of the Santa Barbara Channel and its islands. In general, these divisions are really more geographical than ethnological.

The men of the north were tall, muscular, and well made; the women shorter and of good form and feature, some even being described as beautiful in the Caucasian sense of the word. Their

color was a light brown and their hair black and straight. The central group were very tall but ill formed, black in color, and of ugly features. The southerners, on the contrary, were of average height or perhaps slightly undersized, well formed, light in color and of good features. The islanders, who constituted but a very small part of the total, were of light complexion with fair hair.

The hair was usually worn in a queue, but occasionally loose and flowing. Often it was adorned with oak leaves, feathers, or squirrel tails. The men had no beards. Climate was a much more important factor in their dress than was modesty, the men as a rule finding a belt sufficient covering in warm weather, though a breechclout was sometimes worn. The women wore an apron of braided grass which hung down both front and back. In cold weather a favorite dress was a thick coat of mud covering the whole body. This garment had the advantage of being easily handled and readily repaired, and it served as an excellent protection against the cold. In the severest weather a half-tanned deerskin was wrapped closely around the body as an additional shelter.

Tattooing to a slight extent was almost universal among the women, the principal markings being three vertical bands on the chin. These were widened as the lady advanced in social posi-

tion, the width being also in proportion to the age. In some of the tribes the men decorated their bodies on certain occasions with broad bands of color. This custom was more prevalent in the south than in the north. A very curious custom which prevailed in this latter portion of the state was that of grinding the teeth down to the level of the gums. The process by which this result was obtained is as much a mystery as is the reason for doing it.

The dwelling houses of these strange people were much the same throughout the state. The first step in their construction was the digging of a hole two to five feet in depth and from ten to thirty feet in diameter, according to the size of the family whose home it was to be. Around this excavation long poles were sunk into the ground, and after they were firmly fixed were drawn together at the top until they left an opening something more than a foot wide. This hole served in the double capacity of door and chimney. The frame thus constructed was plastered with mud several inches thick. Two notched poles by which the door was reached, one inside and one out, completed the erection of the house. Thus completed and dignified by the name *wikiup* the dwelling was ready for occupancy. In addition to this type of house the Indians of the Channel and the Islands used larger structures thatched with tule for council lodges. The only other

edifices of any kind known to the California aborigines were the *temescal* and the very rare temple, both of which are described on another page.

In pursuing game, the native of California preferred the snare and pitfall to the bow and arrow. The weapon required active hunting; the traps could be constructed when the spirit moved and left to do their work while the owner idled. Deer and small game were the only objects of the hunter's feeble efforts. The grizzly bear was left religiously alone as the Indians, with good reason, were superstitious about interfering with him.

Fishing was more to their taste than hunting. Spearing was the favorite method, and this was often facilitated by the construction of a dam in which were small openings through which the fish passed on their way up the stream. A single watcher at one of these holes could secure a large number of fish in an hour. Another method was fishing from a platform built over the lake or stream on which the native could rest or sleep until his fish was hooked.

Among the northern Indians and those along the coast, fish was the principal article of food. It was eaten raw or nearly so during the summer, and large quantities were dried and smoked for winter use. Other staple foodstuffs were acorns, roots, berries, and seeds. All these were natural products, and there is no record of any instance of the aborigines tilling the soil or mak-

ing any effort to stimulate its production. A flour was ground from acorns, and from this a crude bread was made which was often flavored with berries. To this frugal menu the more epicurean inhabitant of the central portion of the state added reptiles and insects. Grasshoppers were a delicacy and there was great rejoicing when a dead whale was washed ashore. The southern Indian displayed even a greater catholicity of taste in the viands which supplied his board. Coyotes, skunks, rats, crows, lizards and snakes, as well as grasshoppers and other insects, were on his table.

The food was largely gathered as well as prepared by the women, who were the servile drudges of the families, and who were also the artisans, their skill in weaving grasses and tules and in tanning deerskin being remarkable. These two simple industries provided all the household necessities other than food, for all the clothing and household furniture including kitchen equipment were made of skins or woven grasses. The number of wives a man had therefore was the measure of his wealth. Polygamy was universal in the north.

Marriage was a matter of business: wives were purchased from their fathers, and their social position was determined by the price which was paid for them. Even after marriage, they were bought and sold like any other commodity with

the result that the old and wealthy men had a monopoly of the youth and beauty. Among the tribes of the central region the wishes of the bride were consulted to some extent. They also had a peculiar custom regarding the bride's family. When a man married he married all the sisters of his bride, and if her mother was unattached he married her too. There was no ceremony of marriage nor of divorce in this part of the state. In the south, the chief only was allowed more than one wife. Here several forms of marriage ceremony prevailed, all of which were extremely simple. In that most often used the bride was carried by her father to the house of the groom and left by his side. Divorce was a mere matter of separation, as in the north.

The children of the tribe were nominally under the control of the chief. Privation and abstinence were the principal lessons sought to be inculcated, but no rigid discipline was enforced, and usually the teacher employed was experience.

The aged of both sexes were despised and frequently put to death with scant ceremony, this treatment of their elders being more frequently met with among the peoples in the lower part of the state than in the north.

Slavery existed to some extent among the northern tribes but was rarely met with elsewhere. Here illegitimate children were always sold as slaves and

it was frequently difficult to distinguish between the status of a wife and that of a female slave.

A wide difference was noted among the peoples of the various sections as regards the leadership. In the north the wealthiest man was most powerful and hereditary succession was unknown. In the central portion hereditary succession was the rule, though frequently disregarded. In the south, on the other hand, custom required a rigid adherence to the direct line and in default of a male heir the headship could be held by a female. At the time of which we write one of the largest *rancherias* of the Santa Barbara Channel was ruled by a woman. In one particular, the chieftaincy, as far as it could be called such, in all the districts was the same; it represented very little power, and received little respect. The heads of the various families were the real rulers and were practically independent.

With so little central authority such laws as obtained were bound to be very laxly enforced. In the north a murderer atoned for his act by the payment to the family of his victim of a small sum in beads or shells. Half the amount necessary for the killing of a man sufficed in the case of woman. Occasionally a murderer was banished if his crimes became frequent, but capital punishment was never resorted to. In the south greater strictness was observed. There a murderer's life was forfeited to the relatives of the

deceased unless he could reach a temple. In that event we find a curious analogy to the old medieval right of sanctuary, for there his life was sacred and his punishment was left to the god. His immunity was strictly observed, unless he was so rash as to stray from the charmed place in search of food, as in the absence of any in the temple he was apt to do. It was then thought that he had escaped from the wrath of the god and the relatives of the dead man if they chanced to find him promptly killed him.

After sleeping and eating, the principal amusement of this primitive people was gambling, and there was nothing at which they would stop in placing stakes. Dancing was another popular amusement, and both sexes indulged. Their festivals began with dancing and speechmaking and ended in the wildest debauches.

Everywhere the most prominent characteristic was laziness. Marked as were the northerners in this respect their brethren of the central regions far surpassed them. The extent of the laziness of these men is shown in their aversion even to such occupations as hunting and fishing. Fighting was avoided whenever possible.

Naturally filthiness reigned supreme in the California *rancherias*. Both the dwellings and the persons of their inhabitants abounded in vermin. When the collection of refuse and offal in their lodges became so great that they could no longer

bear it, the lodge was filled with dry sticks and burned to the ground. Another was then built; often on the same spot.

The ravages of disease were most severe; scrofula, consumption and eye diseases caused by the smoky lodges being the principal afflictions. Among the northern Indians many of the physicians were women. Their method of treatment consisted in wild incantations and sucking of the afflicted part. In the central and southern portions of the state, however, women were not allowed to act as physicians, and there the medicine men exercised a tremendous influence. In the central districts they labored under one disadvantage; they were supposed to have the power of life and death over their patients, and if one of the latter died his relatives frequently killed the physician. Under these conditions the fees charged for medical attention were enormous. In the south the medicine man was more secure, for there if his patient died it was attributed to the just vengeance of the god.

The principal cure for all diseases, and a course of treatment which seems to have been resorted to even when there was no disease present, was that of the *temescal* or sweathouse. This was the largest structure in the village and was devoid of opening except for a small hole near the ground which was used as an entrance. In the center of this edifice a fire was built and here congregated

as many of the men as could work their way into the interior. They remained until human endurance could no longer stand the strain, when they bolted out, and straightway plunged into the nearby stream. No women except those who had qualified as physicians were allowed to enter the *temescal*.

In the upper part of the territory, the bodies of the dead were buried in a manner similar to that in common use with us at the present time, except that the corpse was often placed in a sitting instead of a recumbent position. In the southern portion of the state, however, the dead were cremated with all their possessions.*

Shells formed the principal medium of exchange among this primitive people. The higher denominations of currency were supplied by scalps of the redheaded woodpecker and by white deerskins. These latter were exceedingly rare, and to possess one was a mark of great wealth.

Most of the northern Indians lived on or near a body of water, but they displayed little skill in the construction of water-craft. While crude dugouts were occasionally met with, the almost universal type of boat used in this region consisted of tules securely bound together. Astride of this

* The men were buried in one cemetery, the women in another. A painted pole was placed over each grave. The hair of a man was placed above his grave while the poles which marked the graves of the women were surmounted by grass baskets.

the boatman took his seat, sinking it below the surface and propelling it by kicking his feet. But little progress was made in seamanship. Even the natives around the beautiful bay of San Francisco had nothing better in the way of boats than the tule rafts above described. Far more advanced in the art of boat-building than their northern neighbors were the Channel Indians, among whom wooden canoes were common. They were constructed of long planks neatly fastened together, were high at the bow and stern, and in some instances as much as twenty-four feet long with a carrying capacity of ten or twelve men each.

Basket weaving and deerskin tanning were almost the only manufacturing industries and these were wholly in the hands of the women.* The southern group added to these the making of fishhooks, needles of bone, and cooking utensils of soapstone.

The California Indian, except in the extreme south, was not at all of a warlike disposition. He fought only in three contingencies — when his neighbors stole his women, when they launched against him wicked sorceries, and when they dammed up the stream below him so the fish could not come up as far as his village. For these grievances he would fight. Ordinarily the men of the

* Their skill in the former art is well exemplified by the fact that the baskets were frequently made so perfectly as to be impervious to water.

tribe spread out in a long single line facing the enemy and pierced the air with demoniac yells until they had frightened their opponents to their own satisfaction. Occasionally real blows were exchanged and bloodshed ensued, but this was avoided whenever possible. In the south the slightest pretext was used as an excuse for attacking a weaker tribe for purposes of plunder. In the central portion of the state war was entered upon with considerable formality. By means of heralds a challenge was sent to the enemy. If it was accepted, the time and place of the battle were carefully agreed upon and the combat always took place as arranged, the warriors exhibiting a comparatively high degree of courage and meeting death or torture with true Indian stoicism.

While the bow and arrow was their usual weapon in warfare, they resorted often to the strategy of man-traps. Across a forest path deep holes were made with the bottom much wider than the top to prevent escape. The opening was then concealed by means of sticks and mud. The initiated were warned by the position of certain nearby stones but the enemy was easily deceived. Once in the trap he could be killed at leisure — provided he escaped falling on the sharpened elk-horns which had been placed directly below the opening. To these means of disposing of their enemies the central and southern Indians added spearing and sometimes clubbing. They

also had a weapon shaped like a scimeter and edged with sharp pieces of flint or obsidian.

Quarter was seldom asked or given, and if it was extended it was only for the purpose of subjecting the captured enemy to the most cruel and excruciating tortures before an end was made of him. The dead were sometimes scalped but more commonly decapitated. Severed hands and feet were favorite trophies and evidences of prowess, and in a few districts the eyes of the slain were also plucked out and preserved. The flesh of a vanquished hero of renown was frequently eaten; but not as food, as is ordinarily the case with cannibals. It was thought that by consuming the flesh of the deceased some part of his strong qualities would be incorporated into the character of the eater.

It was only among the southern peoples that anything was found sufficiently tangible and organized to be designated as religion. The Channel peoples had for their god Chinigchinick, whose temple, an oval enclosure about fifteen feet across, was in the center of the village. At one end of this was erected a second enclosure of mats and at the other end a third of small stakes. In this space, on a hurdle, was seated the image of the god, who there received the homage of his worshippers and enjoyed in silence the sacrifices of birds which they offered. These people had a vague belief in a future existence, the joys of

which were pictured in a manner very similar to those of the Scandinavian Valhalla. This belief probably was the source of a strange collection of puerile and obscene legends, which apparently formed much of the mental life of these aborigines.

CHAPTER II

EARLY EXPLORATIONS — 1542-1602

ON a sunny day in the fall of 1542 a young man of these Indian peoples might have been seen looking for stray grasshoppers on the great headland which forms the sea wall of what is now San Diego Bay. He stopped a moment in his search and gazed seaward, and to his astonishment saw far away on the horizon white specks the like of which he had never seen before. He called his brothers and they too stood in awe. All the day they watched as the white spots grew larger and nearer until finally they perceived them to be great canoes, far larger than any they had ever seen before, and filled with strange beings whom they took to be gods.

September 28, 1542, these huge canoes came to anchor in their bay and many of the strangers came ashore. The young man and his brothers were inclined to be friendly and offered food to the new comers. They recalled strange tales they had heard from other Indians of beings like these with beards, clothes, and armor, armed with crossbows and mounted on horses.

The leader of this little company of Spanish

adventurers was Juan Rodriquez Cabrillo. He had been despatched by Hernando Cortes, *Conquistador* and *Gubernador* of Mexico, to find the Strait of Anian or follow the shore along to India. For Cortes had been informed that the Americas were a group of islands stretching along the coast of Asia, and that his own Mexico was either a projection from this latter continent itself or was separated therefrom by the long sought Strait of Anian or Northwest Passage. He had heard of Magellan's feat in finding one opening through this chain of islands when he discovered in 1520 the straits that bear his name. This stimulated Cortes to an enthusiastic effort to discover the northern passage, and thus add to his already great fame as an explorer.

Cabrillo had set sail from Navidad in Mexico with two small vessels, the *San Salvador* and the *Victoria,* on June 27, 1542. After a toilsome journey of three months he covered a distance which would be made now in a few weeks by even small sailboats and came as we have seen, under the astonished gaze of the Californians.

He exchanged gifts with the friendly natives at San Miguel, as he called San Diego Bay, and then sailed away again to carry out the orders of his superior. He reached Santa Catalina on October 6, and spent a few days in its excellent harbor to repair his ships. He then sailed across to San Pedro and from there went on up the

coast stopping on October 9 at the great village of the Channel Indians, *El Pueblo de las Canoas,* near the site of the present Buenaventura. The natives called the town Xuen and bestowed the name *Taquimine* on the voyagers. It took nearly five weeks more to reach the bay of Monterey which they entered on November 15. As they made their way along the coast they knew by the " great signal smokes kindled on shore " that they were watched closely by the natives. Nowhere, however, did they encounter any hostile demonstration, but always the friendliest treatment at the hands of the aborigines.

From Monterey Cabrillo sailed on but the severe cold of the oncoming winter drove him back to the Santa Barbara Islands, where he died on January 3, 1543, from the effects of a broken shoulder suffered some months before. Traveling by sea was a hazardous undertaking for a sound man in those days, when the wretched food and water were so bad as hardly to sustain life, and scurvy was almost inevitable. The hardy explorer, under the added burden of a broken shoulder, was unable to maintain the struggle longer and succumbed. He was buried on one of the islands of the Channel; which one we are not sure.

So rests in an unknown grave the discoverer of California. For Cabrillo was undoubtedly the first white man to set foot upon its soil. Three

years previous to his arrival, Francisco de Ulloa sailed to the head of the Gulf of California and if he happened to have been there on a clear day, could have seen her mountains far to the north. The next year Hernando de Alarcon explored the Colorado River to its junction with the Gila and unquestionably came within sight of the present California. Again later in the same year, Melchior Diaz, traveling by land, crossed the Colorado at a point sufficiently far to the north so that he must have been within sight of her hills. But though these men were brave explorers and performed well the work allotted to them, to Cabrillo must remain the honor of being the first actually to reach and set foot within the borders of the present state.

After his captain's death, Bartolome Ferrelo, the second in command, resolved to continue the expedition and carry out the instructions of the *Gubernador*. He sailed as far north as what is now the Oregon line, skirting the coast closely but missing the entrance to San Francisco Bay. This was as far as the present expedition was able to proceed and it returned to Mexico without accomplishing either of its objects, the discovery of the Strait of Anian or of the coast of India.

The old men who had welcomed Cabrillo had died, and the young men grown old before the news was brought to them of another sail on

the horizon. Those that remained went out on the point again day after day and watched it, but instead of coming to the harbor it passed by far out at sea and faded into the mists of the north. The year was 1579 and the ship they saw was the *Golden Hind* in which the Englishman Francis Drake was scouring the seven seas and availing himself of every chance to plunder Spanish ships. He too was searching for Anian.

Drake followed Ferrelo's course as far north as Cape Mendocino but was turned back by the same difficulties which had baffled his predecessor — cold and stormy weather. He entered a bay somewhere in the region of San Francisco and for years it was supposed that he had really made that harbor. But it is now generally conceded that this was an error and that the bay in which he wintered was what is now known as Sir Francis Drake Bay about thirty miles north of San Francisco. Some writers contend that it was neither of these but Bodega Bay still farther to the north. Wherever it was, he landed, and named the entire country "New Albion," taking possession in the name of his royal sovereign, Queen Elizabeth.

Five years more elapsed and again the Indians were called forth from their lodges to see the white man's sail. This time it came from the other direction but did not touch the coast of their country at all. It was a Spanish galleon under Francisco Gali on its way from the far off

Philippine Islands, and nearing the coast of California at Cape Mendocino, was working its way southward to Mexico, her commander keeping her as close to the shore line as he dared.

Of the natives who had received Cabrillo, probably all had passed on to their Indian Valhalla before another sail showed its gleam off the California coast. Eleven years later, in 1595, another Philippine vessel, the *San Agustin,* under Sebastian Rodriguez de Carmenon, appeared and, more unfortunate than her predecessor, ran aground at Point Reyes. She lost a part of her cargo before freeing herself but beyond this nothing is known of her voyage. There is something pathetic in the sight of these proud, high-pooped galleons, majestically struggling with the might of the waters, making headway only by dint of infinite toil, reeking with scurvy, and heavily laden with the rich wares of the Orient which in far away Spain they would offer in exchange for gold, passing by the shores of California, where lay the glittering object of their search in quantities immeasurable.

A few years after the *San Agustin's* mishap, Philip III, the new King of Spain, issued his mandate that the entire coast of California be carefully searched for harbors suitable for the vessels of this now fast increasing Philippine trade. To perform this service, Don Sebastian Vizcaino was despatched from Acapulco, on May 5, 1602.

He followed very much the itinerary of Cabrillo but it nowhere appears that he knew of the previous voyage of that navigator. He touched at San Diego, Avalon, San Pedro and Monterey; and named the Coronado Islands, Santa Catalina and San Clemente. Vizcaino accomplished no more in the actual acquisition of information than Cabrillo, but his voyage was of more permanent value because a careful and detailed record was kept.

In spite of the eagerness of Philip to find harbors on the coast of California, nothing whatever was done to follow up the work of Vizcaino. For 166 years no Spanish vessel touched this coast. During this period there was a curious stagnation in New Spain due to the rapidly waning power of the mother country which had shrunk to a shadow of its former greatness. California slumbered; its people dozing through an indolent existence, undisturbed by any untoward event, while the memory of the visits of Cabrillo, Drake and Vizcaino faded into vague traditions which were given new life and currency from generation to generation by the infrequent appearance of the sail of a Philippine galleon that had run out of its course.

It is interesting to note here the almost endless discussion which has taken place as to the origin of the name California. Most school children are familiar with its alleged formation from

two Spanish or Latin words meaning "hot furnace"; but unfortunately for the theory that this is the true derivation, it must be remembered that to the early Spaniards who first used the name in connection with the country, California was not a hot country but, in comparison with those through which they had come to reach it, a cold one. While we frequently read in the accounts of early travelers of their suffering from the cold, we never find any allusion to the heat.

The name first appears in the written records as applied to Lower (Baja) California in Preciado's diary of Ulloa's trip down the coast of that peninsula in 1539. But it is used there as if it were already in common use and it is probable that it was first given to this country by Cortes or some of his followers either at Santa Cruz or La Paz between 1535 and 1537. The *Conquistador* and his men were unquestionably acquainted with *Las Sergas de Esplandian,* a novel written by Ordoñez de Montalvo, the translator of *Amadis of Gaul,* and purporting to be the recital of the adventures of the son of Amadis. This book was extremely popular in Spain just previous to this time, running through five Spanish editions between 1510 and 1526. In the course of this story a mythical "California" is described, an island "on the right hand of the Indies, very close to the terrestrial Paradise." It is peopled by black women of the nature of Amazons. Their

MAP OF CALIFORNIA MADE IN 1705, SHOWING IT AS AN ISLAND

island is the strongest in the world; their arms of gold; wild beasts and griffins they have tamed to serve for horses. There is no metal but gold in their whole wonderful island.*

Surely this fabled land " close to the terrestrial Paradise " resembled little enough the barren waste of Lower California at the time of the arrival of the Spaniards. How then came the name of this country of many blessings to be bestowed on this unpromising land? To assist in answering this question, mention must be made of another of the theories of derivation — that the name California was a corruption of an Indian name for the whole country or a part of it. It seems that there was a portion of the country which in one of the innumerable dialects bore a name which sounds very like " California." It is possible then that these rough adventurers landing in this country whose landscape as far as the eye could see was naught but stones and desert brush, and putting a question to a few terrified natives received this name for answer. And that one of these soldiers, perhaps with a well worn copy of the *Sergas* in his pocket, boisterously seized upon the resemblance of words and with broad sarcasm pointed out to his companions this sorry waste as the fabled

* For the rediscovery of this long-forgotten novel, and the consequent answer to the much mooted question of the derivation of the name of their state, the people of California are indebted to Edward Everett Hale.

" California." That the name came to us from the *Sergas* is quite probable, but the precise manner in which it came to be applied to the parts of our country which now bear it, must always remain a matter of conjecture.

CHAPTER III

OCCUPATION BY THE SPANISH — 1769

THE humble race of Californians, or at least that portion living about the Bay of San Diego, was again awakened from its long undisturbed lethargy by the appearance on April 11, 1769, of another vessel. This time it was the *San Antonio,* under the command of Juan Perez, a Majorcan who had been in command of a Manila galleon. He brought his ship to anchor in the bay, and on that day the first European settlers landed who came to make a permanent home in California.

To understand the origin of this expedition it is necessary for us to go back a little in time and many miles to the southward in distance. During the century and a half which had passed so quietly for California of the north, the Spaniards had been colonizing, improving, and organizing all parts of Mexico. One feature of this progress was the establishment of numerous missions for the conversion and education of the natives. Two large Catholic orders, the Jesuits and the Franciscans, had taken charge of this work. The latter had several missions on the mainland while the former had established a chain of these relig-

ious and educational institutions along the peninsula of Baja or Lower California.

In the year 1767 the growing agitation in Europe for the overthrow of the Jesuit order resulted in the king of Spain sending instructions to the Mexican authorities to sequester the holdings of this order in the peninsula and turn them over bodily to the Franciscans, who were thought to be more tractable and obedient to the civil authority.

The Order of Saint Francis, as the Franciscans were officially designated, was founded by Francis of Assisi at the beginning of the thirteenth century. In 1210 he had eleven followers and drew up a set of rules for their guidance. After much hesitation Pope Innocent III approved the order later in the same year. Nine years later the first general assembly was held and over five thousand members attended. The Franciscans were sworn to various forms of the strictest self-denial which they carried to the point of asceticism. They were mendicants, it being contrary to the rules of their order for them to own property either individually or as a body. Their main work was proselyting, and this was carried on not only among the unreligious in Europe but the utmost zeal was exhibited in preaching the message of the church to the heathen in the remotest corners of the earth.

They were men of this type who had succeeded

to the work of the missions of Baja California and also to the plans of Father Kino, one of the greatest of their Jesuit predecessors, to extend the mission chain as far north as Cape Mendocino. Toward the realization of this great dream, Kino had never been able to make even the first step. The Franciscans were more fortunate. The year after the Jesuits were ousted, the Spanish government, fearing the occupation of this northern country by the Russians who were working their way across Bering Strait and down the coast of North America, ordered the occupation of Alta California.

This occupation was to be threefold in character — religious, military, and civil. The agency of the religious invasion was the mission; that of the military, the presidio; that of the civil, the pueblo. To the great good fortune of California the execution of this plan was intrusted to Jose de Galvez, the Royal *Visitador* of Mexico, who, though he never set foot on California soil, might be called one of the greatest of her pioneers. He entered into the plans for the preparation of the expedition with the warmest enthusiasm, watched over all its details personally, and to him is due in greatest measure the credit for its success.

The expedition was to travel to the new country in four divisions, two by land and two by sea. Gaspar de Portolá was placed in command as military and civil governor, and Junípero Serra as

Father-President of the Franciscans. All of the missions of Lower California were called upon to contribute their proportion of supplies and equipment for the new establishments. These included besides the vestments and church furnishings for two mission churches, 200 cattle, 140 horses, forty-six mules and two asses.

The first of the four divisions to arrive was the party in the ship *San Antonio.* She had left San Lucas, the point of departure for the sea expeditions, in February, 1769, after solemn religious services and a parting address from the *Visitador.* On board were the friars Juan Vizcaino and Francisco Gomez, a few carpenters and blacksmiths, and a miscellaneous cargo of supplies. The voyage to San Diego consumed only a few weeks and was in other respects accompanied by good fortune. The *San Antonio* sailed by San Diego without her captain knowing it and went as far north as the Santa Barbara Islands before the mistake was discovered. The return to San Diego was made without mishap. The expedition was kindly received by the natives.

The *San Carlos* bearing the second sea division, though she left San Lucas several weeks before her consort, did not have the same good fortune and was 110 days making the trip. She arrived eighteen days after the *San Antonio.* The condition of those on board was pitiful. Watercasks had leaked, the remaining water spoiled and

made easy the course of the scurvy which worked sad havoc among the members of the crew. Within a few days after her arrival over two-thirds of her company who had left San Lucas had perished from disease.

Her commander, Vicente Vilas, had been given written orders to establish the Catholic faith, extend the Spanish domain and to check the "ambitious schemes of foreign nations." Had there been any active expression of these "ambitious schemes" to contend with it is to be feared Vilas would have experienced much difficulty in carrying out this portion of his instructions in spite of the fact that "no excuse was to be taken for failure." Another clause of these instructions is of interest as illustrating the spirit which prompted the men in charge of the whole movement: any outrage upon the natives was to meet with the most condign punishment.

May 14 saw the arrival of Rivera y Moncada with the first land division. This consisted of twenty-five soldiers and about ten others. They had endured severe hardships on their journey, but had come through in much better health than those who traveled by sea. Rivera immediately took charge and during the six weeks which elapsed before the arrival of the remaining division, made preparations for the settlement. He selected for their camp a site on high ground in what is now North San Diego. Huts for the men and cor-

rals for the animals were constructed and a substantial village had sprung up by the time of Portolá's arrival.

This memorable reunion of the whole party, which marked the accomplishment of the purpose of the expedition, occurred on July 1, 1769. Portolá himself had pushed on ahead with a small bodyguard and arrived two days before. His section of the expedition, consisting of about twenty-five, had had a comparatively easy journey, losing none of its members by death, and having only one serious accident to contend with. The second day out Father Serra became so lame from an ulcer on his leg that he could walk no further, and it was necessary to carry him on a litter. Even then he could not endure the pain and insisted on one of the muleteers applying the same remedy which he would have used if his mule had been similarly afflicted. This was done and the next morning the good man arose so much better in health that he made the remainder of the journey on foot without difficulty.

Sunday, July 2, was celebrated with thanksgiving. That done, preparations were immediately commenced for the permanent disposition of the settlers. The first step in this direction was to care for the sick and bury the dead which numbered thirty-one out of about 225 who had started on the expedition. This sad duty finished, Perez sailed away in the *San Antonio* for San Lucas for

supplies and more sailors. On the fourteenth, Portolá left for the north and Monterey, leaving at San Diego about forty men, including the sick.

Sunday, July 16, saw the founding by Father Serra of California's first mission. With the solemn ceremonies attendant upon this event and the dedication of the new establishment to San Diego de Alcala, began the period of Spanish dominion in California which after a sway of half a century was to give place to that of Mexico, which in its turn, and but a quarter of a century later must bow before the onsweeping tide which carried the sovereignty of the United States to the shores of the Pacific. At this time the United States was yet unborn; but on the far eastern coast of the continent events were moving rapidly to the climax which brought on the War of Independence.

Portolá's party consisted of about sixty-four men, including soldiers, priests, Indians and servants. Among the priests was numbered Father Juan Crespi, who kept an accurate daily journal of the entire trip. The route followed at the start was practically that of the stage road which later ran from San Diego to Los Angeles. In the neighborhood of what is now called the Santa Ana River the party experienced a series of severe earthquakes. On their arrival at the river they had named it, after the custom of their people to distinguish everything with a name of great

length, *El Rio del Dulcissimo Nombre de Jesus* —"The River of the Sweetest Name of Jesus." After the earthquakes they deemed it necessary to further distinguish this particular river, so its already lengthy name was extended to *El Rio del Dulcissimo Nombre de Jesus de los Temblores* — "of the Earthquakes."

This stream being now sufficiently named they passed on to the region of the present city of Los Angeles. The river here was named *Porciuncula,* after a little stream in Italy near the home of Saint Francis. The Indian village on its banks, called by the natives *Yang-na,* they renamed for the feast day on which they arrived, *Nuestra Senora de Los Angeles* —"Our Lady of the Angels." From here the party made its way north through the San Fernando valley to the Santa Clara River, stopping at the largest of the Indian villages which they called *Asuncion* and whose site was to become in later years the location of the city of Ventura. Following the coast of the Santa Barbara Channel they passed through many native *rancherias* and arrived at the Santa Lucia Mountains on the 20th of September. The difficulties of the journey were becoming daily more severe. All suffered from the cold and many were ill with the scurvy.

In spite of hardships they pushed on and ten days later passed Point Pinos and stood on the shores of Monterey Bay. For some reason over

which there has been much dispute, but probably because of the season of the year they did not recognize it. All of the earlier writers had described it as a wonderful sheltered harbor into which ran a large river, the Salinas. In the open roadstead before them Portolá's men could see nothing which answered this description. Palou writes, " At Point Pinos there is no port, nor have we seen in all our journey a country more desolate than this, a people more rude, Sebastian Vizcaino to the contrary notwithstanding." He was inclined to the belief that the harbor of Vizcaino and the early explorers had been filled up with sand.

In spite of the bitter disappointment he experienced in failing to find Monterey Bay where he expected it, Portolá resolved to push on in the face of any hardships and to continue the search. On October 31 they arrived at the mouth of San Francisco Bay, where they encamped. A few days later some of the men who were hunting deer climbed the hills to the eastward and looked out upon the waters of the great harbor itself. The names of these common soldiers under the command of Portolá we do not know, and to his name goes the honor of being the discoverer of San Francisco Bay, for so far as is known men of his party were the first Europeans who ever saw its waters.

While the discovery of such a harbor was an

event of vast importance to later generations and gave the discoverer much prestige among those who lived on its shores a century and a half later, it contributed nothing to the wants of the inner man at the time of the discovery, and without doubt the worthy Portolá and his men were far less elated by their discovery than they were cast down by the knowledge that their provisions were nearly exhausted and that the promised relief ship, the *San José,* had not been sighted. With saddened and discouraged hearts they started southward on November 11. It took them twenty-six days to reach Monterey Bay and still they failed to recognize it. This time however they marked the spot where they supposed it ought to have been by erecting a cross on the shore of the bay and leaving at its base a message for the commander of the *San José,* should that vessel arrive after their departure.

The members of the party, almost dead from exhaustion, reached San Diego January 24, but found nothing to cheer them. There were no signs of progress except a few more mud huts. Eight men had died. No Indians had been converted.

The reverses were too much for Portolá, who felt that nothing was to be gained by further delay or effort and ordered that the whole project be abandoned and that the return to Mexico commence on the 20th of March. This brought a

violent outburst from Father Serra, who saw what he believed would prove the flower of his life work thus about to be crushed in the very bud. He protested and refused to leave, but the governor was obdurate and insisted on the departure unless the relief ship should arrive before the day set.

Human agencies being of no avail in saving his cherished project Serra and the other friars spent the remaining few days in prayer to Heaven for relief. March 19 dawned and still no vessel appeared. The start must be made on the morrow. All day the fathers eagerly scanned the horizon and just at sunset saw a glimmer of white far to the west. It was a sail and the expedition was saved.

The ship was the *San Antonio* which the redoubtable Perez had again brought through. A peculiar chain of events had occurred to bring her to San Diego in the nick of time. She had started under instructions to proceed to Monterey to meet Portolá there. While at anchor in the Santa Barbara Channel for the purpose of refilling her water casks, her commander had been informed by the Indians that the land party had already returned to the south; but the orders were to proceed to Monterey, so, in spite of this intelligence, he again set out for that port. The loss of an anchor almost immediately afterward, however, made it necessary for him to return to San Diego,

where he arrived as if in miraculous answer to the prayers of the friars.

The arrival of supplies and more men, put new hope into the workers who were already on the ground. The moribund settlement sprang into renewed activity. The construction of houses and other buildings was commenced and the work of establishing a permanent colony began in earnest.

Even Portolá felt the new spirit. He departed a second time for Monterey on April 17, leaving twenty-eight men as the permanent force at San Diego to convert the *gentilidad,* as the Indians were called. Serra had left for the same destination the day before in the *San Antonio.* The land expedition was the first to reach Monterey, and this time the beautiful bay was recognized. The only reasonable explanation for the first failure to find this bay, and its later recognition seems to be found in the difference in seasons. The early explorers, as it happened, had always described the bay as it appeared in the spring. In the dry season its appearance was so different that Portolá's men could see no resemblance to the descriptions.

They found the cross which they had left on the shore of the bay undisturbed by the natives but covered with arrows, sticks, fish, and other Indian offerings to the white man's fetich. They had only one week to wait before the *San Antonio* dropped her anchor in the bay and the Father-

President came ashore. On June 3, 1770, the double ceremony of taking formal possession of the whole country by Portolá in the name of His Majesty Carlos III, King of Spain, and the founding of the Mission of San Cárlos Borromeo de Monterey by Serra, was celebrated with all the solemnity possible under the circumstances. Serra had won California for Spain and the Franciscans.

CHAPTER IV

Junípero Serra — 1713-1784

ACCORDING to Emerson, "an institution is the lengthened shadow of one man." In the case of the missions, and in fact the entire Spanish regime, in Alta California, the man whose lengthened shadow they were was Junípero Serra. As has already been seen, it was his tenacity which had delayed the departure of the great fourfold expedition from returning to Mexico until the relief ship was in sight. In a similar, though not in so striking a manner, it was his tremendous personality which was the guiding power and the impelling force which were to change California from a lounging ground of benighted beings into the home for a time of happy, prosperous communities.

Miguel José Serra was born of lowly parents at Petra in the island of Majorca, November 24, 1713. As a boy he exhibited a strong tendency to the thoughtful consideration of religious matters. At the age of sixteen he became a novitiate of the Franciscan order. It was at the time of his induction into this order that he took the name "Junípero" and so caused the good padre to

remark, " would that I had a whole forest of such junipers! " While studying in the convent in Majorca he formed an intimate friendship with three other young friars, Palou, Verger and Crespi.

Serra was the most brilliant of the four and there was conferred upon him the degree of Doctor of Theology. His success in the pulpit was phenomenal for one of his age. He often heightened the effect of his fervid orations by beating his breast with a sharp stone or dashing against it a burning torch. His fame spread rapidly. He was successful in all he undertook. The path to honor and fortune lay broad before him.

But his heart was not so inclined. Far back in his earnest youth he had determined to make the new world his field. He believed that there were hundreds of thousands of poor savages before whose feet yawned the fiery chasm of hell. To carry the gospel to these unfortunates and thus save their otherwise doomed souls became with him a passion. He would not stay to receive the empty plaudits of the civilized world and leave this noble labor to the efforts of some half-hearted priest.

In a transport of joy he received word that permission had been granted him to join a party of missionaries leaving Cadiz for Mexico in 1749. The voyage occupied ninety-nine days, after which the friars were landed at Vera Cruz. From here they set out for the College of San Fernando in

Mexico City. Horses were provided for this journey of 300 miles, but Serra begged and obtained leave to walk, as a matter of self-discipline. On this journey a little incident occurred which, though small in itself, played an important part in Serra's after life. He was severely bitten on the leg by mosquitoes and scratched the bites. Because of prolonged neglect properly to care for it the wound ulcerated and became a constant source of pain, and, but for the muleteer's ointment, and his own indomitable will, must have put an end to the journey from Mexico to California.

Though never free from pain he accepted the affliction bravely as a part of his cross, considering it as a heaven sent instrument of discipline. In the early part of his journey from Vera Cruz to Mexico when the ulcer began to pain him it affected his spirits not at all, and he became more and more elated as he felt that he was nearing the long-cherished goal. Arrived there however he found this goal receding before him and still many years away. He worked at the college for nineteen years before his opportunity finally came. This long delay was indeed a sore trial to the zealous proselyter, for he believed that all the time he was delayed there were every year hundreds dying whose souls would be lost because he had not been able to bring to them the salvation of his church.

He had reached the age of fifty-six years when the order finally came which placed him as Father-President at the head of the religious work of the expedition which was to occupy Alta California for Spain. Under him were to be sixteen missionaries to assist in the work of converting the heathen.

It was characteristic of the man that when the time came for him to choose whether he would go by land or water he elected the land journey though that would necessitate the enduring of much greater hardships. During all the years in Mexico he had made no attempt to cure the ulcer on his leg, and the toilsome exertion of traveling by foot irritated the injury until the pain was even greater than Father Serra with all his fortitude could bear.

His relief from this suffering by the application of the muleteer's herbs strengthened the Padre's belief that he was under the especial protection of Heaven. But this belief never led him to consider that he was better or greater than his companions. His joy was always as great at their success as at his own. On the other hand, he always deemed himself a poor tool in the hands of Providence for the carrying out of the divine plan. He affected extreme humility and shunned all honors except those that were thrust upon him. Earthly honors were to him empty baubles. The only thing worth living for was religious duty,

but this duty must, in order to be truly praiseworthy, be done in a Franciscan way. And here appears the narrow limitation of the man's vision. To so great a soul impeded by a restricted intellectual outlook, the term fanatic is peculiarly applicable. An incident which occurred in 1776 aptly illustrates this. There came to him a rumor of an expected attack by Indians. His heart was filled with joy at the thought of possible martyrdom; at the prospect of his own death at the hands of the savages. Fortunately he controlled his feelings sufficiently to send to Monterey for troops and avert what would have been a real disaster for California.

It was this rigid adherence to the methods of action which seemed best to him that led him to quarrel with almost every civil ruler of California with whom he came in contact. Nothing was allowed to encroach in the slightest on the Franciscans, or their own methods of converting the heathen, and one after another, Fages, Rivera, and De Neve, successive governors of California, felt the heat of his jealousy, and the tremendous power which he possessed of making it felt. While realizing that Serra is probably not entirely free from blame in these dissensions, at the same time we shall materially discount the statements of De Neve that he employed " unspeakable artifice and shrewdness " in his dealings with the civil authority, and that steps must be taken to bring

" this president to a proper acknowledgment of the authority which he eludes while pretending to obey."

That he was not entirely guileless is shown by some of the petitions in his memorial to Governor Bucareli of Mexico, which embraced thirty-two requests for the betterment of the conditions of the mission establishments. The memorial asked for a doubling of the size of the guard at each mission, the Father-President planning in this way to secure sufficient soldiers for the establishment of an equal number of new missions with a guard of the original size. It must be noted, however, that his craftiness was always employed for what he believed to be the best interests of the religious institutions under his care, and never for his own benefit.

While Serra did not omit the employment of shrewd tactics for the attainment of his purposes, he was indefatigable in the realm of straightforward hard work. His triumphant faith and militant spirit carried all before them. His refusal to obey the orders of Portolá for the abandonment of San Diego Mission is typical of the whole spirit of the man's life. Embarking on the great labor of his life at the age of fifty-six, he endured the struggle and hardship uncomplainingly for fifteen long years afterwards. Palou, his friend and biographer, writes of him: " For him no difficulty was too great, no hardship too

intense. His courage failed not in the face of dangers which would have appalled others; his sublime faith removed monuments of perplexity and inspired his loyal band."

But no statement of the characteristics of the man can bring out his true self so vividly as a brief glance at the work he undertook and prosecuted to a successful issue. He went to an absolutely uncivilized country. He was a pioneer in almost every branch of civilization. He must hew trees, saw lumber, make bricks; he must be his own architect, contractor and builder; he must train men not only in the methods of labor but also in the habit of labor itself. And the raw material of which he must first make men and then Christians was of the lowest order of mankind, whose language was unknown to him and for whom there were no interpreters.

The cross as an instrument of conquest is one of the most powerful in the world's history. In the hands of Serra it was such indeed. For his royal master the impelling motive of the expedition to California was avarice, but for Fray Junípero it was propagandism, the saving of myriad unenlightened souls.

Richman calls Serra " a new-world Francis of Assisi, post-medieval, yet not belated for his task; beholder of visions, believer in miracles, merciless wielder of the penitential scourge."

Such was this invincible personality under

whose guidance the missions of California came into being. Whatever of glory or grandeur is theirs, and there is much of both, is in a large measure his; for his was the ideal of which they were the real; he was the man of whom they were the lengthened shadow.

Serra took part personally in the founding of nine missions and remained Father-President over them all until his death. At the age of seventy years and when in feeble health, he made the journey on foot from Monterey to San Diego, visiting all the intervening missions and villages. Such was the love of this man for his work. The love for him of those whom he had befriended was no less, and at his death hundreds of mourning neophytes heaped flowers on the coffin of their beloved teacher.

CHAPTER V

THE FOUNDING OF THE MISSIONS

IT is a noticeable fact that all of the Spanish explorers, though they were as a rule rough men of an adventurous type, were very observant of the forms of the Catholic religion. It is recorded that during Vizcaino's voyage it was the first duty of the sailors whenever they landed to erect a church tent for the friars. This is indicative of the tremendous domination which the church exercised over the minds of the whole Spanish people. And its sway was no less undisputed over the officers of the government.

As has been stated, the plan of occupation of Alta California was threefold, with the religious establishments considered the most important feature. Within two weeks after the junction of the four parties constituting the first expedition at San Diego, the mission there was formally established. About a year later, when Portolá and Serra had finally located Monterey, the ceremonies of taking possession of the country for the King of Spain and of founding the Mission of San Carlos took place on the same day.

The ceremonies which marked the founding of a mission were simple and practically the same at

all of the establishments. An *enramada,* or bower of branches, was first constructed. Small bells were either swung from the branches of trees or a simple frame was erected for them. A cross was raised in front of the bower and an image of the virgin was set on the altar. These received the blessing of the priest, which completed the preparations. The service began with the ringing of the mission bells to summon the nearby natives. Father Junípero then donned his alb and stole and all present remained on their knees while the *Veni Creator Spiritus* was chanted. Mass was said amid the roar of cannon and musketry, the latter demonstration invariably frightening away the natives whose curiosity had brought them to the spot. A sermon was then preached by which, in Serra's own words, it was " hoped to put to flight all the hosts of Hell and subject to the mild yoke of our holy faith the barbarity " of the Indians.

Recovering rapidly from their first fright at the firing of the muskets, the natives showed no signs of timidity. They gathered in large numbers to receive the gifts of the new comers. The gifts which they sought were those material rather than those spiritual, however, and the friars were prepared to supply their material wants. They had brought quantities of beads and other trinkets as presents. If a plentiful supply of these was not forthcoming the natives were prone to assist the friars in getting the desired objects

into native hands by confiscating what they liked most. They were adroit thieves as well as importunate beggars.

Though eagerly accepting the beads and trinkets the natives did not see fit to confine themselves to the receipt of these alone. The small force at San Diego found it exceedingly difficult to watch them in order to prevent their depredations and at the same time to care for their own sick. Conditions went from bad to worse, both sides growing more determined, the soldiers and friars finding it necessary to resort to physical means to prevent the total loss of their property, and the Indians also resorting to force in their attempts to get it. At last blood was shed. Three Indians and one white boy were killed. After this the natives became more circumspect and the missionaries erected a stockade around their buildings. These measures overcame the trouble from thieving but effectively stopped for the time all progress in religious matters, and no native was baptized at this mission for over a year.

The experience at San Diego, while not exactly duplicated at the other missions, was typical of the occurrences at all, and it took many months of hard and painstaking labor to bring in a sufficient number of neophytes to carry on the work necessary to maintain the establishments in such a manner as to make those in charge feel that they were really permament.

After a year's labor at San Diego and a second year spent at Monterey, Father Serra felt that the time had come for the extension of the system and early in July, 1771, he set out from Monterey with about a dozen men to found the Mission of San Antonio de Padua, which was accomplished on July 14, with the customary ceremonies. The natives here were more tractable than at San Diego or Monterey and soon came to the mission in large numbers. The first baptism was celebrated August 14, just a month after the founding.

On his return to Monterey, Serra ordered the removal of the Mission San Carlos. Ostensibly this was done to secure a location on more favorable ground, but in reality it was to get away from the immediate vicinity of the presidio. Already there began to be felt the first throes of the long drawn out struggle between the religious and the civil-military authorities. The conduct of the soldiers toward the Indian women was a fruitful source of trouble between the two powers.

At the founding of the next mission, that of San Gabriel, Father Serra was not present owing to the failure of Lieutenant Fages, (between whom and the Father-President antagonism was already beginning to ripen into enmity) to notify him in time. San Gabriel Arcangel was founded on September 8, 1771, on the banks of the Santa Ana River, from which location it was later moved

to the present situation because of the danger from the spring floods. The Indians in this region made hostile demonstrations at the approach of the friars, but at sight of a picture of the Virgin Mary they fell down and worshipped. After this they flocked to the mission in great numbers and the experience of San Diego was repeated. The trouble here was undoubtedly aggravated by the conduct of the soldiers, on whom Serra places the blame for the whole matter, and who he testifies were guilty of riding into the Indian *rancherias* and lassoing the native women.

The growing rancor between the friars and the soldiery and the desire to make more secure the position of the former, led Father Serra to undertake a journey to Mexico for a personal interview with the authorities there. He started late in August, 1772, to make the journey overland to San Diego, stopping on the way to found the Mission of San Luis Obispo de Tolosa in the midst of a large friendly Indian population. He sailed from San Diego for Mexico on October 20. His purpose was threefold: first, to secure the removal of Fages, the military commander, with whom he constantly quarrelled; second, to secure concessions for the work at the missions; third, to become acquainted with the new governor, Bucareli. The journey consumed much more time than he had expected for he was taken so ill at Guadalajara that the sacrament for the dying

was administered in despair of his recovery. After accomplishing his mission he was further detained by a request to prepare a full report on the state of the Alta California Missions. The delay was fully compensated for however by his success in accomplishing his purposes. Fages was succeeded by Rivera y Moncada, a close friend of the Father-President; many of his requests as to the missions were granted, such as the right to have refractory soldiers removed, the prompt delivery of the mission mails, and, more important than any of the others, a more systematic method of furnishing supplies by means of relief ships. He found Bucareli an enthusiastic supporter of the missions and left him their firm friend.

At this time an event took place of much importance to the missionaries. The chain of missions in Baja California was turned over to the Dominican Order. This order had long been demanding a division of the Mexican missions and, as the Alta California establishments were not considered of any importance, they had asked for half of the Baja California chain. Great was their surprise when the Franciscans suddenly agreed to give up to them all the Baja missions. The Dominicans were thus satisfied because they received more than they had ever asked for and the Franciscans were content to have the complete control of the Alta missions whose far greater importance they already recognized.

One of the beneficial results of this transfer was the arrival of Francisco Palou in Alta California to take up the work there. He was one of the three schoolmates of the Father-President, who had come to America with him years before. He had been president of the Baja missions and the transfer to the Dominicans left him free to join Serra in the northern work. Palou afterwards became Serra's biographer and one of California's earliest historians.

After Serra's return from Mexico, the work of extension was taken up with renewed activity. October 30, 1775, a party under Padre Lasuen and Lieutenant Ortega performed the service dedicatory of San Juan Capistrano Mission. The next day however came the terrible news of the destruction of San Diego Mission by the Indians, and after burying the bells of San Juan the party hastened to return to the scene of the disaster.

San Diego Mission had been moved back several miles into the interior and away from the presidio probably for the same reason that San Carlos was moved. Taking advantage of this arrangement, a great force of natives had surrounded the mission and opened the attack at night. The church and vestry were first robbed of their sacred vessels and vestments, and all the buildings except those occupied by the native converts were fired. Friar Jayme, the blacksmith, and the carpenter, were killed, and many others

were seriously wounded. The neophytes after the disaster were loud in their lamentations at their inability to render assistance because as they said, guards had been placed at their doors who had forbidden them to move on pain of death. There was however, always suspicion that some of them at least had been instrumental in instigating the attack. When the news was taken to Father Serra he said: "Thanks be to God; that land is watered; now will follow the conversion of the San Diego Indians." Because of this lamentable outbreak at San Diego no work was actually done at San Juan Capistrano until November first of the following year, when Serra himself was present, and blessed the new establishment.

About this time there set out from Tubac in Mexico, a party of settlers under Captain Juan Bautista de Anza. The people of this party had been assembled for the purpose of effecting a settlement in the region of San Francisco Bay, where a mission and presidio were to be established. Anza was ordered to take this party overland by a hitherto unexplored route through what is now southern Arizona, the Imperial Valley and the Coachella Valley. They left the Coachella Valley by the San Carlos Pass; made their way through the Hemet Valley and by San Jacinto Lake to the Santa Ana River and San Gabriel Mission where they arrived on January 4, 1776, after suffering intensely from the cold and the lack of

water. After a short stop at San Gabriel the expedition pushed on to Monterey where it arrived March 10. The commandant, Rivera, was at Monterey and a slight misunderstanding of some sort occurred between him and Anza which delayed the departure for San Francisco and caused Anza to return to Mexico very soon after his arrival at the bay, and before anything permanent had been done. After Anza left, Rivera ordered his lieutenant, Moraga, to proceed to San Francisco and begin the construction of the presidio but nothing was to be done toward establishing a mission.

Moraga arrived at the bay June 27, and sites were immediately chosen for both the presidio and the mission. One month later Father Palou blessed the first building as a chapel. The friars proceeded with all the preparations for founding a mission, but there was no consecration because of the inexplicable orders of Rivera to the contrary. Two months longer they waited in vain for these orders to be countermanded and Moraga finally took the responsibility upon himself and San Francisco Mission was formally dedicated October 9, 1776. The ceremonies were marked with the usual firing of cannon which frightened away for days the natives they had come to convert. The news was at once carried to Rivera who, to the relief of all concerned in the affair, approved the foundation. It is probable that he had been as anxious as anyone to proceed with

the founding, but through some fit of jealousy had refused to order it done. The friars at San Francisco had much the same experience with the thieving of the natives as those at San Diego, and it was not until the following June that the first neophyte was baptized. This mission was always the most backward in making converts. From all points of view, it was the least successful of any of the missions.

Two more missions, Santa Clara and San Buenaventura, were established before Serra's death, which occurred at Monterey August 28, 1784. While he had been the great leader in the work of founding the missions, there was no halt at his death. He was deeply mourned by both friars and neophytes wherever his benign influence had made itself felt. But the men associated with him were also great men and eminently fitted to carry on the labors which their master had left to them. Serra's old friend and schoolmate, Palou, acted as temporary president until a permanent successor was appointed in the person of Fermin Francisco Lasuen who filled the office of Father-President for nearly twenty years, making a record for himself which some deem greater than Serra's, and which was certainly second only to his in the annals of early California history.

During Serra's lifetime there had been established nine missions. The end of the eighteenth century saw eighteen; and with the founding of

San Francisco Solano in 1823, the total number reached twenty-one. These were missions proper, and the number does not include several thriving establishments such as San Antonio de Pala, Santa Ysabel, and Santa Margarita, which were operated as branches of the other missions. All these institutions had been established and the whole country brought under the yoke of Spain without expense to the royal treasury. This had been the understanding at the beginning. The expense had to be borne by private parties, and this led to the establishment of the Pious Fund, the record of which is in itself an interesting phase of the history of the missions.

The Pious Fund consisted of money and property given by devout Catholics to the cause of proselyting the California Indians. Father Salvatierra, one of the most famous of the early Jesuit fathers, secured the first contributions to the fund in 1697, gathering over fifty thousand dollars. By 1768, the aggregate was over $1,273,000, and yielded an annual income of $50,000. It was invested almost entirely in land. When the Jesuits were expelled from Mexico, the fund was turned over to the Franciscans and Dominicans, and it was from this source that the former derived the means to conduct their widespread activity in Alta California. Each friar in charge of a mission had a salary of $275 a year, and an additional allowance of $400 for traveling ex-

MISSION OF SANTA BARBARA

(From an old print)

penses. Each new mission as it was established, received from the fund the sum of $1,000 for equipment and vestments. The additional supplies necessary were furnished by a general levy on the older establishments, from which were drawn horses, mules, cattle and other livestock. While as a rule the amount furnished a new mission was sufficient for its needs, a peculiar stinginess was noted at times. For instance when the three missions of San Gabriel, San Antonio, and San Buenaventura were projected, it was deemed sufficient to send three hens with their broods, and one rooster for the three missions.

From such small beginnings the twenty-one mission institutions became an establishment of vast wealth, owning at the height of its prosperity over 230,000 cattle, nearly 40,000 horses and mules, and about 300,000 head of smaller livestock. The grain production in its best years was nearly 125,000 bushels. The number of Indians who were baptized is recorded as 88,240, of whom as many as 25,000 were in residence at the missions at one time.

CHAPTER VI

THE PRESIDIOS

IN describing the tremendous work done by the religious element in the Spanish occupation, mention has occasionally been made of the military forces. The number of soldiers in California was at no time large, a few men being considered a sufficient guard for each mission. The main bodies of troops, also few in number, were gathered into the presidios. These were the centers of military activity as the missions were the centers of religious operations.

The work of the military branch in occupying the country had very little of the military element in it. California was not conquered, even in the sense given to the word when it is used to describe the unresisted march of an army of Spanish adventurers through the territory of a simple and unwarlike people. On no occasion did anything that might by any stretch of the imagination be called a battle or even a skirmish, take place. The nearest thing to it was the attack on San Diego Mission, whose unfortunate termination has already been described. The Franciscans "conquered" California, and the part played by the soldiery was largely that of laborers and police. Their prin-

cipal duties consisted in inspiring enough fear in the native breast to ward off any incipient attack, and in undertaking punitive expeditions when thieving and desertion became too frequent.

Far too often these duties were so extremely light that the unoccupied soldier looked about him with eyes open for amusement. Not being overburdened with religious or moral scruples, his efforts to entertain himself were a constant source of irritation and discouragement to the hard working friars. The Indian women, being the only representatives of their sex in the country, were the principal objects of the soldier's attentions. In many instances the Fathers found it one of the most difficult parts of their work to overcome the evil wrought in this way.

While the common soldiers furnished much to worry the priests with whom they came in direct contact, their commander, or *comandante* as he was called, was often in hostilities with the Father-President. Especially was this so during Serra's time, and it was due to the untiring energy with which he maintained the supremacy of the religious over the civil and military branches, and to the success which he met in establishing that supremacy beyond question, that his successors found their tasks in this direction much easier of accomplishment.

But while the part played by the soldiers was insignificant and it may well be doubted whether

the friars would not have succeeded just as well or better without their presence, nevertheless the establishment of military posts was part of the plan of occupation, and that part was carried out just as were those portions of the plan which related to the missions. California was divided into four military districts, each to have its presidio, or headquarters. The first two of these were founded simultaneously with the missions — in 1769 at San Diego and at Monterey in 1770. The presidio at San Francisco was also established at the same time as its mission in 1776. The fourth of the military posts, that at Santa Barbara, was founded in 1782. The presidio of Monterey always took precedence because that town was the seat of local government, the governor's residence and was close to the headquarters of the Father-President of the Missions at San Carlos.

Much the same ceremonies marked the founding of both presidio and mission, and in the early days they resembled each other in outward appearance. The same style of architecture was used and of course the same materials for construction. The small cannon mounted at the corners of the presidio, and the constant presence of soldiers, alone served to distinguish it from its more peaceful neighbor. As the years passed, however, the difference became more and more marked. While the mission prospered and grew, and its

outward appearance put on the aspect of grandeur some relics of which still remain, the presidio early became afflicted with a sort of dry rot and passed from a state of destitution to one of dilapidation, and from that to utter ruin. The obvious reason for this was that the missions soon became producers, in fact for many years were the only sources of supply in the country, while the presidios were never more than parasites, and having no economic value, received no economic support. Beside this innate weakness, they were afflicted from another source. They became a sort of public works for the support of officials, who gleaned for themselves whatever profitings came within reach.

In their brightest days the presidios were never able to resist a real attack, and in the land of the Apaches would soon have been demolished; but in the simple and peaceable Californian they served to inspire a wholesome fear of the Spaniards which was seldom forgotten.

At the presidio of Monterey, the largest of the four, there were only eighty men and several officers, while the whole force in the province in 1800 was 372 men. Ten years later there were forty men. Vancouver, the English explorer, was unable to understand how such an insignificant force could keep so large a country in subjection. Governor Borica comforted himself in a similar reflection, with the thought that those from whom

attack might be expected were probably ignorant of the weakness of the defenses. The buildings were no sooner completed than they were allowed to run down and become so dilapidated as to defy repair. Those at San Diego were abandoned and the materials used to build huts for the settlers between 1835 and 1840. An example of the meagre support these institutions were tendered is afforded by the fact that no pay was received by any Spanish soldier in California from 1810 to 1820.

There was one military establishment in the country which fared somewhat better than the presidios for a time. This was Fort San Joaquin at the entrance of San Francisco Bay. This defense, completed December 8, 1794, was in the shape of a horseshoe on the point opposite the Golden Gate. Its adobe walls mounted only eight guns, but in the opinion of one Spanish commander it was strong enough to prevent any vessel from entering the port. It is probable that when this opinion was formed the fort was not in the condition in which Kotzebue, the Russian commander found it, for when he sailed into the bay he had to lend the soldiers of the fort powder with which to fire a salute in his honor.

CHAPTER VII

THE PUEBLOS

THE civil occupation fared not much better than the military. The three-fold plan had provided for the settlement of the new country by means of a number of pueblos or villages. The plans laid out for these pueblos were very complete and even elaborate on paper, but they were never realized in fact. A pueblo grant consisted of four square leagues of land in a rectangular tract. At a suitable place near the center of this tract the plaza or common was to be laid out, always rectangular in form. In the case of Los Angeles this plaza was about 200 by 300 feet and lay with the four corners to the cardinal points of the compass. The streets were to run perpendicular to its side "so that no street would be swept by the winds." It is not stated by what means the winds were to be confined to the cardinal points, and it is quite probable that there existed other and better reasons for this arrangement. The location of the plaza having been decided upon, the remainder of the grant was divided into blocks and lots for residences and farming. The public buildings, including the church, were to be located around the plaza, and the courthouse was

to have a position of honor in the center. The remaining lots were to be apportioned among the *pobladores* or villagers.

This geographical ideal was accompanied by a no less pretentious scheme for the government of the pueblo after its establishment. The legislative body, called the *ayuntamiento,* was to consist of fifteen judges, attorneys, and others. The titular head of the government was to be the *comisionado.* There were also to be various under-officers to lend dignity and provide the completeness of outward form so necessary to the Spanish mind. These officials were at first to be appointed by the *comandante* but later were to be elected by the citizens. It was the purpose of the projectors to gather the Indians into these towns in order the more rapidly to civilize them. The actual conditions at the pueblos will disclose the wisdom of this plan. It is interesting to note that Rivera was especially instructed to exercise extreme caution in avoiding defects at the beginning of these towns as they might grow to be great cities.

The settlers who formed the citizenship of the colonies received a house lot, a tract of farm land, the use of the common pasture, and a loan of stock and the necessary implements and seed to set them up as colonists. The stock consisted of a yoke of oxen, two horses, two cows, two sheep, two goats, and a mule. This loan was to be repaid

in products of the soil at the end of the year. Until the settler was established on a self-supporting basis, he also received the equivalent of ten dollars a month and soldiers' rations. The parcels of land were held by the settlers under a lease system. Their title was good against anyone but the government so long as they continued to occupy and cultivate the land, but this title carried with it no right of granting or devising, and was subject to forfeiture for failure to comply with certain regulations.

The requirements for prospective *pobladores* were theoretically very strict. They must be married men, accompanied by their families; healthy and robust. They must bind themselves to ten years of service in the colonies. The female relatives of such settlers were to be encouraged to accompany the families with a view to marriage with the bachelor soldiers already in the province. It is needless to say that under the conditions in Mexico, these requirements could seldom be met. In fact so frequently were they waived that it really became the exception to find a man or a family that did meet them.

It fell to the lot of Governor de Neve to superintend the actual founding of the only two of the pueblos which ever became accomplished facts. He chose the site for the first about halfway between Monterey and San Francisco, then but a few months old. *El Pueblo de San Jose de Guad-*

alupe was the sonorous title bestowed upon the new settlement, and it received its formal start in the world on November 29, 1776. The original population consisted of fourteen families.

Nearly five years later, September 4, 1781, the second pueblo, *El Pueblo de Nuestra Señora la Reina de Los Angeles* was founded and became the residence of twelve families; forty-six persons in all. These colonists were mostly of a mixture of Indian and negro blood with traces of Spanish, and not one of them could read or write or even sign his name. A more lazy and unpromising company of pioneers it would probably be hard to find and the result was what might be expected under the circumstances. And yet this was the beginning of the most prosperous of the Spanish pueblos.

A third pueblo was proposed at San Francisco but after investigation it was decided that this location was the worst place in California for the purpose in view: "nothing but sand, brambles, and raging winds." An attempt was however made to establish a third colony near the site of the present city of Santa Cruz. This was the favorite project of the new Viceroy of Mexico and was named in his honor *Villa Branciforte*. To make it a model pueblo was the dream of the Viceroy. It was founded with all ceremony and carefully watched by a paternal government, the supervision of the authorities even going so far

as to prescribe for each inhabitant the careful observance of all Christian solemnities. To think that this ideal community could sink to the low level of San Jose and Los Angeles was impossible! But its population was soon rebuked for immorality, and was later accused of attempted murder. Bad as were the other two pueblos, Branciforte was worse than either and soon came to an untimely end. Its material portion passed into oblivion and today no trace remains of the Viceroy's cherished dream.

The pueblos started under sufficiently discouraging conditions, but if they ever had any real opportunity to grow prosperous and orderly it was effectually checked by the policy of the government in using California as a penal colony for Mexico. Governor Fages, De Neve's successor, made the fatal suggestion to the Mexican authorities that artisans who had been imprisoned for crime in Mexico be sent to California to work out their sentences at the presidios, missions, and pueblos. Military discipline at the presidios and religious discipline at the missions preserved both of these institutions from the contamination of these characters. But the pueblos had no such discipline and nothing to take its place. While these criminals to some extent answered a crying need for skilled laborers, their effect upon the civil communities was to destroy every vestige of moral fibre in their populations.

The degenerate character of the towns is shown in the report of Governor Borica in which he refers to their people and says that most of them are idlers, paying more attention to gambling and guitar-playing than to tilling their fields and educating their children. Disorder was rife, quarreling and fighting almost continuous, and murder frequent. Morality was practically unknown. One of the regulations at San Jose provided that all single males over twelve years of age should sleep every night in the guardhouse. As late as 1809, Comisionado Alvarado at Los Angeles reported gambling, drunkenness and other excesses on the increase. The town stocks were always occupied, and the people became more and more vicious, scandalous, and intolerable.

The labor system which prevailed was partly the cause and partly the result of this regrettable condition. Agriculture and stock raising were the sole industries. Practically all manual labor was done by pagan Indians. This labor was contracted for with native chiefs who took part of the crop as pay and made large profits for themselves in the deal. The Indians so employed were those who would not become converted and live at the missions. While the Indians performed their work for them, the settlers passed the day in singing and gambling.

The pueblos were, therefore, total failures so far as their original purposes went. The failure

is very generally ascribed to the unworthy character of the colonists. This was undoubtedly a large factor, but there were other causes which prevented any possibility of success. As early as 1779, Governor de Neve reports the influence of the friars as against pueblo progress. This antagonism became more marked as time passed. The friars, splendid men as they were, were extremely narrow, and jealously opposed development in any direction except that which took place under their own control. They did not care to see any power arise in the country which might eventually cope with theirs.

Another very efficient cause of the poor progress made by the pueblos was the mercantile system. Spain, like all other European countries with colonies at that time, tried to manage her colonies entirely for the benefit of the mother country. In the case of California this was accompanied by another idea that the interests of both colony and mother country would best be conserved by reducing trade to the lowest possible amount. No ships were admitted to California ports except the San Blas transports and the Philippine vessels, and no trade of any kind was allowed even with these.

Local trading transactions were likewise hampered. Sorely as the presidios needed the agricultural products of the pueblos, the law of supply and demand was not allowed to take its course.

If it had been the pueblos might have flourished, but they were required to sell all their surplus products to the presidios exclusively, at prices fixed from time to time by the government. As this selfsame government had to pay the bills for such supplies, the prices were never excessive. In addition to this elimination of all incentive to progress, the settlers were at all times required to keep themselves in readiness with horses and muskets for military service. The result of these restrictions was a continued succession of hard times at the pueblos, and this in spite of the fact that at Los Angeles a larger quantity of grain was produced than at any other place in the territory except San Gabriel.

It was not until nearly fifty years after their founding that the pueblos began to show any signs of substantial improvement, and to obtain a few words of commendation from the authorities instead of the volumes of censure which had formerly been the rule. Los Angeles established a school in 1817, and San Jose followed her example the year after. At Los Angeles the master received the meagre salary of $140 a year, but it was a start in the right direction. Kotzebue, who visited San Jose in 1824, speaks highly of the general appearance of the town and people. But even at their best the pueblos never became producers in sufficient quantity to repay their cost to the government which had established them.

Under the republican regime, the non-military residents of Monterey and of Santa Barbara were organized into a kind of presidial pueblo which bore no resemblance except in name to the pueblos which have been described. They were, however, a step in the progress of these places to their position of cities in modern California.

Private "*ranchos*" were not a part of the original plan of occupation. Such establishments are not easily supervised in the manner which appeals so strongly to the paternalistic spirit of Spanish institutions. They, as well as the pueblos, met with the opposition of the friars. The fear of a rival power was supplemented in the case of the ranches by the feeling that in such isolated settlements far from the ministering services of the missionaries there would be much backsliding in matters religious and moral.

But in spite of the lack of any government provision for them, and in the face of the opposition of the padres, private ranches gradually became established. An influential man, either by reason of his friendship for the governor or because of distinguished services, would be granted a large tract of land. On this tract there sprang up a small but almost wholly self-supporting and self-sufficing community. The proprietor was in a position of practical independence and ruled almost as a monarch in his little domain. In all, there were granted about fifty ranches which were

scattered all through the country from Monterey to San Diego. While they maintained their position from the start, their real prosperity began with the removal of trade restrictions in 1828, and the consequent expansion of the hide and tallow industry. Their lands then became of great value and continued so through the time of the American conquest.

CHAPTER VIII

THE SPANISH PERIOD — 1769-1822

IT has been necessary in describing the establishment of the missions, the presidios, and the pueblos, to allude to events and conditions of a later date than that of the earliest years of these institutions. We return now to chronicle in their proper order the most important events of the Spanish period.

Gaspar de Portolá remained the governor of the Californias, Upper and Lower, only until March of 1770. He was at that time succeeded by Felipe de Barri who resided at Loreto in Baja California, the capital of both provinces, and never visited Alta California at all. While Barri was governor, the actual management of affairs in the latter province was in the hands of Pedro Fages as *comandante*. Between this autocratic soldier and Padre Serra there was continual hostility which resulted in a temporary victory for the friar in 1772, when Fages was removed and the command in the upper province placed in the hands of Rivera y Moncada. Rivera was also a soldier, but a much more diplomatic man than Fages. He succeeded in getting along very well

with the Father-President by letting him have his own way.

On August 16, 1775, the King of Spain formally recognized the fact that Alta California far exceeded Baja California in importance, and ordered that the capital of the two provinces be removed to Monterey. The governor was to reside at the northern city and the lieutenant-governor at Loreto, the former capital. California had asserted its supremacy, and as time passed its lead over the older province was to be vastly increased.

Felipe de Neve was the first governor who resided at the new capital. For seven years he presided over the destinies of the province with marked success. About the time he took office a new arrangement went into effect in Mexico by which the northwest provinces, including the two Californias, were joined in a district under a *comandante-general.* This resulted in a great deal of local independence for the governor of the upper province. Felipe de Neve was well qualified to carry this responsibility. He was naturally of a judicial mind and was constantly planning and executing measures which would better the conditions of the people under his charge.

The greatest of his many tasks was to straighten out the tangles in the governmental system of California. This he found in confusion, with the representatives of the church, the army, and the civil authority each striving for the mastery. He

drew up and promulgated a codified plan or *reglamento* which settled these vexing questions, and brought a semblance of order into the hitherto existing chaos. A second service he rendered the province was his superintendence of the establishment of the pueblos. His plan for these, as has been seen, was excellent and it was not through any fault of De Neve that the achievement was not as commendable.

The administration of De Neve was marked by a peculiarly acute quarrel between the governor and the indomitable churchman, Serra. De Neve's predecessors, Fages and Rivera, whenever they had presumed to cross the friar in his purposes, had been swept aside with scant courtesy. But in De Neve, the Father-President found a more difficult problem. The cause of the disagreement was the right to administer confirmation to the neophytes. By the civil and ecclesiastical law this power was confined to the bishops. Serra was not a bishop and he felt that, as it was very unlikely that any bishop would visit California with sufficient frequency to administer the rite of confirmation to the thousands who would desire it, he should be granted the power. He succeeded in securing the grant through the Franciscan College of San Fernando and proceeded to administer confirmation to the Indians in large numbers. De Neve, having had no advices of this extraordinary grant of power, and no doubt questioning the wis-

dom of receiving this multitude of savages into the church membership, questioned the authority of the President. Serra, sure of his position and not wishing to recognize the right of the civil authority to inquire into his acts, paid no attention to the request, and continued to administer the rite. De Neve issued an order suspending all confirmations, and reported the matter to the *comandante-general.* This official, knowing of the authority granted to Serra, ordered the latter to show his papers to De Neve and settle the matter at once. But Serra, for some reason unmentioned, had sent the papers down to the College of San Fernando. It is difficult to find a worthy motive for this action on the part of the missionary, and all the evidence points to an uncommendable desire to humiliate the governor, a purpose which failed because of the latter's self-control throughout the whole affair.

Naturally a man of De Neve's ability could not remain long at a post relatively so unimportant as the governorship of California, and in 1782 he succeeded to the position of *comandante-general* of the northwestern provinces, where unfortunately he lived to serve only a few months. His successor in California was Serra's old enemy Pedro Fages, who triumphed at last by living to see himself in authority over the very California from which Serra had secured his removal in earlier years.

Fages was a well-meaning soldier, conscientious in the discharge of his duty, but of little intellectual capacity. The friars found little difficulty in circumventing him, as is well illustrated by the circumstances attending the founding of the three Channel missions. De Neve had offered no opposition to San Buenaventura for that was in the original plan. But his appreciation of the mission system was not so great that he would look with favor on two other establishments in that region. He refused to allow them unless the industrial system was so modified that the Indians would not be required to live at the missions except a few at a time and for short periods. This arrangement the friars claimed to be unworkable and refused to be stationed at the new missions under these conditions, which suited De Neve very well. But Fages had not been long in office when all three of the Channel missions were established under exactly the same plan as the older institutions.

On Fages' resignation in 1790, José Antonio Romeu was appointed to succeed him. He lived to serve only about one year during all of which he was too ill to take any active part in affairs. José Joaquin de Arrillaga took charge of the province as acting governor until 1794, when Diego de Borica arrived with a commission as governor.

Borica possessed a joyous disposition, was popular and influential, and is the first man reported

to have become ultra-enthusiastic over California life. He declared in a letter to a friend, "one lives better here than in the most cultured court in Europe." This may have been true, but it is probably no less true that Diego was of those who would have a good time anywhere. He was, however, a good worker and as firm as De Neve in his attitude toward the missionaries. His relations with them were not, however, of such a character as to retard mission development. On the contrary, soon after he came into office the extension of the mission activities received fresh impetus. It had lagged somewhat under the two previous administrations, but Father-President Lasuen who succeeded Serra as head of the system, worked in conjunction with Borica and five new missions were established within two years.

California's progress had always been a matter of small moment to the great world outside, but in the first decade of the nineteenth century she was almost forgotten. The great storm of the Napoleonic wars had burst over Europe and its violent effects were not unfelt along the Atlantic seaboard of this continent. The world had no time to think of the far away territory on the shores of the Pacific, and California did not seem to notice the neglect; in fact she did not think about the world. Though Napoleon was for a time in complete control of Spain, his conquest of the mother country had no effect on California

Courtesy of Charles Scribner's Sons

SPANISH MAP OF 1787, SHOWING MISSIONS, PRESIDIOS, AND ROUTES

(From "The Making of the Great West")

further than to cause ceaseless prayers for the restoration of the rightful monarch.

When restoration did come, Spain's great colonial empire had been so long neglected that it was impossible to revive it. The revolution which freed Mexico was well under way, and the shattered power of Spain could not hope to stretch its arm across the wide Atlantic and quell it.

For ten years the struggle continued, but it was always hopeless, and in 1821 Mexico became independent and carried California with it. Such was the great sweep of events in the first two decades of the last century, in which California took no part, but in consequence of which she came under a new sovereignty.

In 1800 Borica resigned and was succeeded by Arrillaga who had before acted as governor. His administration covered fourteen years and was marked by the good feeling which existed between the civil and the religious authorities. This new turn of affairs was caused by Arrillaga's perception of the fact that the province must soon depend upon the missions for its food supply. Long before the end of his rule supplies and pay had ceased to come up the coast from Mexico. The presidios, and to a great extent the pueblos, faced starvation, but the missions had plenty of cattle and wheat and other foodstuffs. There was but one course open to the governor and he followed it. He forced the missions to turn over their great

surplus production in return for drafts upon the Spanish government. The missionaries objected seriously at first but finally came to see that it was the only thing to do, and at the time of the downfall of the Spanish regime they held utterly worthless paper of a face value of over $400,000.

Though Spain could no longer pay her soldiers nor supply the province with necessary articles, she could still fill its offices. Upon Arrillaga's death in 1814, Pablo Vicente de Sola arrived to take over the administration of affairs. He was a Spaniard, an officer in the royal army, and utterly unfitted for the task he had been sent to perform. He was a martinet without ability and had come to California at a time when the problems facing the civil administration were the most difficult in her history.

It was not until four years after Sola's arrival, and not until three years before the independence of Mexico became an accomplished fact, that California felt any of the throes of the revolution in New Spain, other than the lack of supplies. In 1818 there appeared off Monterey two vessels flying the flag of the revolted province of Buenos Aires. These vessels carried a force of 285 men under the command of the rebel leader Bouchard. The morning after their arrival they began bombarding the town. Though the command on shore consisted of but forty men, the cannon of the presidio were served so well in reply that the smaller

ship was silenced for a time at least. Bouchard at once landed his men and the Spanish defenders were driven back into the presidio. The revolutionists then started in to plunder and burn and many of the houses in the town were destroyed. The next morning they embarked and sailed away much to the relief of the still loyal inhabitants.

These vessels stopped at several other points along the coast where more burning and pillaging was done. They finally sailed away from San Juan Capistrano on December 15 and were seen no more. The object of this visit of Bouchard's has been the subject of much speculation. It was evidently not to conquer the country, because he did not do it. Certainly there was no force on hand which could have successfully resisted him if such had been his purpose. Plunder can hardly have been the motive for while the crews pillaged wherever they stopped, they could have done much more than they did, if they had been so minded. Probably Bouchard was not of a piratical turn of mind and was simply looking for the prestige in his own country which comes from having struck a blow at the public enemy in a far off quarter of the globe.

Two years after this incident, in 1820, there was submitted to the people of California the Constitution of 1812, which had been forced upon Fernando VII by the Mexican revolutionists. The officers and citizens of the province took the oath

of allegiance to it without objection or question. Less than a year afterward Iturbide proclaimed the independence of Mexico in February of 1821. The regency of which he was the head was established in September of that year. The news of the declaration did not reach California until December, and Governor Sola referred to the document which brought him official notice of occurrences in Mexico as having been written in a land of dreamers, as independence was a dream.

In March, however, there came the news of Iturbide's complete success and the establishment of the regency which was to hold the reins of government until a member of the Spanish royal family should arrive to take the throne. This put a new face on the matter and Sola immediately called a junta at Monterey. This unofficial gathering of the leaders of the province recognized the dependency of California upon Mexico and resolved to obey the regency. Again an oath to support the new government was taken without protest from any quarter.

But changes were following each other with great rapidity in the governmental affairs of Mexico and the efforts of the Californians to keep pace with them became almost ludicrous. In July news was received that Iturbide had had himself proclaimed Emperor Agustin I. He had promised to pay all the moneys due to the troops and the missions and this promise secured his immediate

and unqualified acceptance in the province. The flag of the new empire was substituted for that of Spain with all the celebration customary on such great occasions. If there was any regret at the step among any portion of the inhabitants, it was completely lost in the festivities.

For almost three years, California did not again have to change her allegiance. But in 1825 word was received of the establishment of the federal constitution of the previous year. Governor Luis Antonio Arguello who had been acting since the beginning of the Mexican sway, called another junta. This body was more conservative than its predecessor; and was not acting under the excitement caused by a promise of the new government to pay off all the old indebtedness. It resolved to hold aloof until the real trend of affairs could become known. A provisional government was promulgated but never established, for upon the receipt of further news and the full text of the new constitution, the junta advised submission to the new republic. The oath of allegiance was taken as cheerfully as former ones had been and with all the usual ceremonies, except the religious features, for Prefect Sarría declined to sanction republicanism.

The new constitution was modeled after that of the United States, and made California a territory of the new Republic of Mexico. This was highly satisfactory to the great majority of the

Californians who in all their rapid changes of allegiance had not seen the property rights of any individual disturbed, nor the position of any office-holder threatened. A more peaceful shift from the monarchical to the republican form of government was probably never effected in any country.

CHAPTER IX

THE MISSION SYSTEM

IT is apparent from the recital of the events of the Spanish period that the principal work of the local civil authorities of California was to maintain their position as an equal factor with the missions. While they succeeded to a certain extent in doing this, the real dominating force in early California was the mission organization. The civil and military portion of the settlements could have been removed with little effect upon the history or development of the country; to have taken the missions away from Spanish California would have left nothing. The understanding of the spirit of these institutions, therefore, becomes a matter of first importance in studying the history of the early period.

After the ceremonies attendant upon the founding of a mission had been performed and the neighboring Indians had been persuaded to lay aside their fears and exchange gifts with the missionaries, the founding party left the new establishment in charge of two friars. Upon these two lone strangers fell the duty of winning the confidence of the natives, converting, baptizing, and teaching them. Their main instrument of suc-

cess was their zeal, and their sole protection against the violence of the more savage aborigines two or three soldiers of very questionable bravery or efficiency.

Their equipment consisted of some cattle, tools, seeds, and a supply of vestments and holy vessels for the formalities of worship. Least valuable but perhaps of most importance at that stage of the work were the numerous trinkets and articles of cheap clothing which were given to the natives. The friars always maintained that the only way to the native heart was through the native stomach and pride in personal adornment. It was by these gifts of material blessings that the trust of these simple people was first won. During this process the friars continued to hold religious services regularly, in full view of the wondering natives, who gradually evinced an interest in the proceedings. A method of communication was established, half signs, half words. As soon as they began somewhat to understand each other, the friars prevailed upon the Indians to set up their houses in the immediate neighborhood of the mission. Seeds were given them and they were shown how to plant them, how they should be cared for, and how the blessings of harvest followed.

During all this instruction in agricultural matters, a steady influence was exerted upon those who had settled near the mission to uplift their standards of morality. Then followed as a mat-

ter of course the instruction in religion. This at first was merely a teaching of forms and was indicative of nothing more than imitation on the part of the natives. It is probable, however, that in a short time the friars were enabled to select a few of the more intelligent of the converts and instill into their minds some real conception of the truths and mysteries of religion. These leaders in their turn, using the native language, passed on to their less intelligent brethren the wonderful knowledge they had gained. In this way the influence spread from the friars to the keener few among the natives, from these to the larger mass of their fellows, and from these in turn to the great body of the *gentilidad,* as the friars called the unconverted Indians.

In larger and larger numbers these benighted ones flocked to the mission *rancherias* to place themselves under the leavening influence, and larger grew the body of neophytes who looked to the friars for guidance and command. The work of bringing the light of thought and intelligent action to these unenlightened souls was inspiring. Aspiration grew with success. A splendid church must be erected in which God might be worshiped with all the splendor that could be brought into this barren desert. So, acting as their own architects, pressing the soldiers into service as foremen, the friars marshalled this army of workers and proceeded to the erection of

the beautiful mission churches some few of which remain today. How these crude aborigines, under the superintendence of a handful of guardsmen, and guided by a few friars, ever succeeded in erecting edifices of such substantial and lasting beauty is a marvel.

The church completed and the ceremonial vestments and vessels installed, the security and even affluence of their position began to impress themselves upon the friars. They had begun to realize their influence. Now that they had their church, they felt the need of other buildings such as dormitories, dining-rooms, storerooms, stables and sheds. One after another these wants were realized. The friars laid out a plan and as the various buildings were constructed they were made to conform to it. Gradually this plan began to show in its completeness. The quite frequent earthquakes led to the adoption of a comparatively low type of structure. The fear of attack by hostile Indians suggested the form of a hollow square for the group of buildings. The love of the beautiful in the hearts of the leaders refused to tolerate the unsightly appearance of a square of ugly adobe walls, so they were first covered with a cleaner, smoother sort of adobe. Even this was too plain and inartistic and the arched corridor around the entire inner side of the square was evolved. The thatched roof of early times was found to afford an easy means by which attacking

bands of Indians could set fire to the mission buildings and a home-manufactured red tile was substituted. Thus the mission buildings assumed the outward form which we of today know from their ruins. The process consumed from ten to twenty-five years in all.

The Mission of San Juan Capistrano affords a typical example of the arrangement of all of the missions; for while no two were alike in details, all were constructed on the same general plan. At San Juan the church occupied a slight eminence from which its grandeur rather dwarfed the remainder of the establishment, vast as it was. The church was at the corner of the great quadrangle around which were grouped the other mission buildings. It is perhaps inaccurate to speak of them as buildings for they were in fact all one structure, though the various parts had been built from time to time as they were needed.

On the left from the church stretched the long low portion of the edifice which housed the various industrial equipments — the hat-factory, the candle-factory, and other workrooms. At the far end of this wing, opposite the church was a building, not a part of the quadrangle, containing guest rooms, the major-domo's quarters, guard-house and arsenal. A passage through the wing at the left of the church led into the great central court which was about a hundred yards square and entirely surrounded by the arched cloisters.

To the right were the large dining rooms, wine-cellars, and assembly-room. Behind these and the church were the cemetery, storehouses, and vegetable garden. The other two sides of the court were occupied by store-rooms and shops — carpenter's, blacksmith's, shoemaker's — and the oil-press, fermenting-vats, and large rooms where there were stored quantities of hides, tallow, and wines. The huts of the neophytes were built in close proximity to the mission.

In addition to the construction of buildings, fields must be tilled, planted, cultivated, irrigated, and their harvests garnered. Orchards must be cared for and their fruit picked and stored. Provisions must be hauled to the presidios. The innumerable trades that are the indispensable accompaniment of large civilized communities must have their artisans. Schools for the children both of Indian and of white parents were conducted. And last and most important of all the frequently recurring religious services must be strictly performed.

A glance at the life at one of the missions for a day brings out this varied activity. At sunrise the bells, swung in the tower of the church or a special belfry, called the whole community to prayers. Then followed the mass and brief religious instruction. The married natives dispersed to their homes for breakfast, while the unmarried were provided for in a large common dining-hall.

For both classes, however, the meal was the same; simply a bowl of maize-gruel or *atole*. After the meal, every member of the community took up his allotted task. No one was idle. To the minds of the friars it was essential that everyone should be constantly employed either in religious or industrial duties. Some departed to the mountains to hunt in order to furnish meat for the tables. Large gangs went to the fields, orchards, and vineyards in charge of *alcaldes* or native foremen to tend the crops. The artisans took up the pursuit of their various simple trades, such as shoemaking, carpentering, brick-making, leather-working. At eleven o'clock work was discontinued until two in the afternoon. This allowed three hours for dinner and rest, after which the tasks were taken up again and, under the watchful eye of the *alcalde,* pursued diligently until the sound of the angelus floated out over the fields an hour before sunset and announced the end of the day's toil. Prayers and the telling of beads on the rosary preceded supper. Various mild amusements, even including dancing, passed the evening until bedtime. The primitive Indian dances and music gave way to religious chants as the voices became trained. On special festival days extra religious services were observed.

The friars portioned out all the necessaries of life to their charges, whose dress consisted of a coarse linen shirt, pantaloons, shoes and a blanket.

The food was similarly meagre and plain, consisting mainly of barley, corn meal, and vegetables, with occasionally fresh beef or mutton, and meal-cakes or *tortillas*.

The children of both the Indian and the white race were carefully schooled along industrial and religious lines. There were a number of half-breed children at each mission, for the friars as early as Serra's time had encouraged the soldiers to marry Indian women — advice which had generally been followed. Beside the services of religion and the rudiments of some trade the children were also taught something of music. This was instrumental as well as vocal, the flute, violin and cello being the favorite instruments; but for either voice or strings the kind of music furnished was almost entirely sacred. The Indian girls dwelt apart, in a seclusion approaching that of the convent, under the care of Indian matrons. They were instructed in the art of weaving wool, cotton, and flax garments.

The Indians were not compensated for their labor except by instruction, for, under the guidance and suggestion of the friars, the land and all its products belonged to the natives with no thought of ownership on the part of the missionaries. This arrangement was never abandoned in theory, but so docile were their charges and so readily did they respond to the slightest suggestion on the part of their teachers that these suggestions

soon began to take the form of commands. The commands were as readily obeyed as the suggestions had been followed, and it does not take long for ready obedience to breed in him who commands the demand for obedience as a matter of right. Such was the case with the Franciscans. They began to command; even to punish for disobedience. They flogged those who would not obey. They even used the soldiers to pursue into the wilderness those who were so refractory that they had run away, and to bring them back again under the yoke.

This condition was far indeed from the ideal of Father Junípero and Saint Francis. To such holy men the idea of flogging a refractory Indian would have been utterly repugnant. They would have found gentler means for winning him. It was part of the system such men had bequeathed to their order that no Franciscan should have anything of this world's goods; yet here were their successors living on the fat of the land with veritably hundreds of human beings rendering obedience to their orders. This assumption of temporal position had even gone so far that on certain days special religious services were held in which each neophyte as his name was called was required to come forward and kiss the friar's hand.

For this ceremony some plausible reasoning was advanced as to the friars representing the power

and beneficence of the church, but the fact remains that it was a great departure from the spirit and early traditions of the order, and that it gave to them a far higher position than was consistent with their claims. And this was typical of the later Franciscan thought in California. The friars ruled well and for the benefit of their native charges, but rule they must, and that absolutely.

An illustration of this position occurs in the matter of Indian officials. The laws of the colony required an *alcalde* and several *regidores* to be elected each year by the native population of each mission. The friars always objected to this, and in 1792 discontinued it on their own initiative. Governor Borica insisted on its being restored in 1796 but the padres made the elections a farce. They always insisted that they were acting *in loco parentis* toward the aborigines and therefore assumed absolute authority to do anything that might seem to them for the benefit of their charges. That the civil officials were not the only ones who resented this is demonstrated by the tendency which became marked at an early date among the Indian neophytes to run away from the missions.

Widely differing views prevail as to the conditions at the missions at the height of their power, and of the results of their work. Catholic writers point to them as a splendid example of

the noble self-sacrifice of the members of one of the orders in their church, and can see in the results nothing but what is good; nothing but that tended to the enlightening, the civilizing and the salvation of the native Indian. Governor Arrillaga is less fulsome in his report. While he does not believe the mission system achieved the perfection its sponsors claim for it, he still believes it good, that the friars are in the main sensible and honest men, and the natives as a rule well-treated. La Perouse, a Frenchman, and other travelers who visited California in the days of mission supremacy, find on the other hand much to criticise. They go so far as to point out many resemblances between the mission methods and the slave plantation system of Santo Domingo. There are in fact instances of cruelty to support this comparison.

Probably the true estimate of the missions lies between the extremes, though just where cannot be accurately determined. That many acts of the friars which seem inexplicable when set out by themselves were due to the poor quality of the human material with which they worked is doubtless true. Vancouver described the natives as the most miserable beings he had ever seen possessing the faculty of human reason. He praised the friars and noted the attachment of the natives for them, but saw no advantage attending their conversion. La Perouse, too, praises the friars but

thinks their work is hopeless. The native is too much of a child ever to receive any benefit from conversion. He suggests that more time spent in dispelling the ignorance of this life and less in expatiating on the beauties of the life to come would show a better result. It is unquestionably true that the friars, in their zeal to make Christians of the natives, neglected to make men of them first. Whether they ever could have done this had they devoted their labors to that end is extremely doubtful.

In one direction however, the friars were largely at fault. This was in the matter of health and sanitation. There was little knowledge of the science of medicine, and apparently little attempt to gain any. Too often there existed on the part of both the friars and the neophytes an indifference to curative processes and even to the simplest laws of health. The death rate among the mission Indians reached a figure which in an outdoor people to us seems unbelievable. Some critics attributed this to the lack of substantial food, but Father Lasuen vigorously denied this and claimed that the mission Indians were always fatter than the gentiles. It is nevertheless a fact that contagious diseases ran their course with frightful results and decimated the population. In 1801 a pulmonary epidemic on the Channel Coast reached such proportions that it caused

the survivors to turn for a time against the friars and their white man's God.

In spite of the position in which the missionaries had established themselves, they were not wholly free from worldly cares. Several incidents are worthy of mention, not because of their individual importance but to make more complete the picture of the life at the missions. In 1776 a tribe of gentile Indians near San Luis Obispo wished to revenge themselves on a neighboring tribe which was friendly to the Spaniards. The means which they chose to carry out their design was to shoot burning arrows upon the tule roofs of the mission. Several of the buildings were destroyed by the flames before the fire could be extinguished.

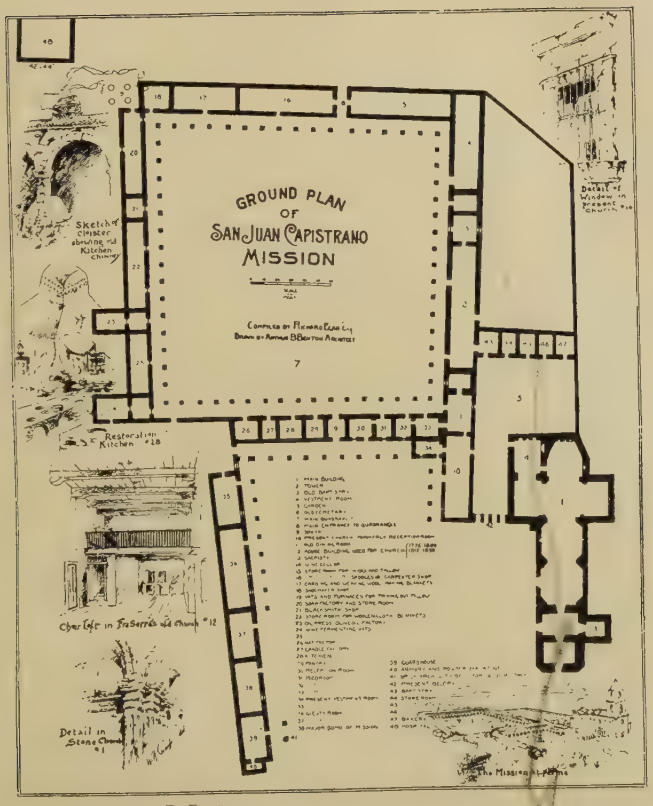
The Indians within the walls were often as much to be feared as those without. In 1801 one of the friars at San Miguel died under circumstances which strongly indicated poisoning by the neophytes, and in the same year there was a proven case of poisoning, though not fatal, of a friar at San Diego.

One of the greatest tragedies in mission history occurred in 1812 at San Juan Capistrano. It was Sunday morning and the people including hundreds of dusky neophytes, had gathered in the beautiful church which was the pride of all the missions. In the midst of the service, came a rumble and then a crash. The stones and tim-

bers of the roof came crushing upon the helpless worshippers who fled in wild dismay from the doomed building. In a few minutes the earthquake was over but it had done its work, destroying forever the finest piece of mission architecture in California, and there lay buried beneath its ruins the bodies of forty of those who helped to build it.

The era of Mexican independence made the lot of the neophytes still harder, for by this severance of the ties which bound New Spain to the Old, the strong central guiding authority of the missions was relaxed. The friars became more and more sensible of their inability longer to maintain their position. Heavier and heavier grew the burdens and less and less the compensations of the unfortunate neophytes. These wrongs became so unbearable that in 1824, a widespread revolt took place. This movement had its inception at Santa Inez Mission but plans had evidently been widely laid, for it immediately broke out at others of the central establishments and many lives were sacrificed before it was finally quelled.

Because of the many substantial things the mission system accomplished it is very generally conceded to have been a success; but the standard of success in such matters is not the amount accomplished but the degree in which the original purposes have been carried out. Measured by this



Courtesy of Arthur B. Benton

(From The Architect and Engineer)

standard the mission system, like the other two instruments of Spanish occupation, was a failure. The original purpose of these establishments was to teach, civilize, and christianize the Indians and to fit them for citizenship in the Spanish colonies of Alta California. At no point in mission history was this purpose near accomplishment. The Indians never became fitted for citizenship in the slightest degree. The moment they were freed from the paternal control of the missions they lapsed into their primitive barbarism, retaining only the vices they had learned from their contact with civilization.

While the missions must be judged a failure, and the correctness of this view is confirmed by the fact that there lives today no single outgrowth of the mission system in the life of the commonwealth, they must nevertheless be given not only credit but praise for the great things they did accomplish for their own day. They secured the first foothold of modern civilization in what is now California. They kept in subjection with the help of a ridiculously small military force, a vast savage population. They built up a productive agriculture which for years was the only source of supply for the thousands of souls who made Spanish California their home. They formed the central feature of a community whose culture seems strange in our day, but whose dominant feature was as a rule a serene contentment on

the part of its almost every member. There is much that is consoling to be found in a failure which brings in its train such achievements as these.

CHAPTER X

THE RUSSIANS IN CALIFORNIA — 1812-1841

IT will be remembered that one of the reasons which prompted the King of Spain to order the occupation of Alta California was the fear that the Russians, who were at that time working their way across Bering Strait on to the American continent, would take possession of the country for themselves. It was not until 1798, however, that an organized body of Russians appeared in Alaska. In that year the Russian American Fur Company was formed with headquarters at Sitka. At the time of its formation Russia and Spain were at war, and it was not until four years later that peace was declared between the two countries.

Count Nicolai Petrovich Rezanof was at the head of the Alaskan establishment, and when the news of peace was received he determined to open trade relations with the Spanish Californians and for that purpose to establish a station on the lower coast. It is possible that he had in mind the acquisition of territory for his sovereign, but there is nothing upon which an assertion to that effect can be based. In 1806 he sailed as far south as San Francisco Bay and entered into ne-

gotiations with the *comandante* at that port for permission to trade with the people. It was against the royal regulations for the Californians to trade with anybody and of course Arguello, the *comandante,* could do nothing official toward granting Rezanof's wish.

The Russian, however, was determined to succeed. The commandant had a daughter, Doña Concepcion, who was a very charming young woman and the Count was an affable man. Before long an attachment sprang up which soon ripened into an engagement. Incidentally the father winked at the commercial transactions which were being carried on under his very eyes between the vessel of his prospective son-in-law and the people of his district. His anger was not even aroused when the foreigners took otter in great numbers in the very bay of San Francisco. This practice was of course strictly prohibited, but perhaps the commandant thought it was not worth while to protest, especially when he had no boats with which to prevent it. His cargo disposed of, Count Rezanof sailed away to the north leaving his betrothed to await his return. This was destined never to take place for he was recalled to Saint Petersburg and died on his way across Siberia. It was never known, therefore, whether his infatuation for Doña Concepcion was genuine or entirely for commercial ends. The young woman, however, remained true to her Russian

lover and never married, though she lived for many years.

Six years after the visit of Rezanof, the Russians purchased from the Indians for "three blankets, three pairs of breeches, three hoes, two axes and some trinkets" a site on the shores of Bodega Bay about fifty miles north of San Francisco. Nearly twenty years before, in 1793, the Spaniards had made an abortive attempt to establish a colony on this same spot but their expedition amounted to little more than a reconnoissance. The Russians were more successful and actually established a settlement.

Their principal stronghold in California was still further north at what became known as Fort Ross, and was founded September 10, 1812. The Russian governor took up his official residence there and it soon became quite a thriving settlement. The town was situated on a table land about ten or twelve miles north of the mouth of the Russian River, on the top of a high bluff on the seacoast, and in its rear were deep ravines. This made it difficult of access from any direction, and therefore easily protected from hostile natives.

The fort itself was a rectangular stockade about 250 by 300 feet and constructed of thick beams set upright in the ground with cross beams along the top, which was from twelve to fifteen feet from the ground. The top was spiked and loop-

holes were frequent. At opposite corners were two hexagonal towers upon which cannon were mounted. Within the stockade were located the commander's house, the officers' quarters, barracks, chapel, storehouses and offices. Some of these buildings were two stories in height and the commander's house was even furnished with glass windows. The chapel was decorated with oil paintings and all the buildings presented a neat and well-kept appearance. The whole structure was of redwood with the exception of a few adobe huts occupied by natives. It was easily the strongest post in California and need not have feared any attack which either Indians or Spanish Californians could have brought against it. It was however never attacked. Surrounding the fort proper were many huts of the Aleuts and natives, which they made an effort to keep clean in imitation of the Russians. Also there were wind-mill, farm-buildings, granaries, cattle-yards, tannery and buildings for other industries.

The settlement itself on the material side was a very creditable establishment, which is the more remarkable in view of the personnel of the settlers. The men, with the exception of the officers, were of a low and often of the criminal class: it was necessary at all times to maintain the strictest discipline in order that the settlement should be quiet and orderly. Except for a few officers' wives in later years, no Russian women came to the settle-

ment at all. The settlers and Aleuts intermarried to some extent with the native women.

On the religious side there was a strong contrast with the Spanish settlements to the south which were wholly dominated by the priesthood and its institutions. The Russian colony had not even a regular chaplain or priest, but one of the officers was authorized to administer the sacraments of baptism, marriage and burial. Rome and Constantinople had made their way around the world in opposite directions to meet again on the shores of the Pacific, and in religious propagandism at least, Rome had shown herself far superior.

The ostensible object of these settlements by the Russians was to provide agricultural products for the Fur Company in Alaska. Whether Russia wished to acquire large territories in California we have no means of knowing. During the Mexican revolution she had a splendid opportunity to do so, but no attempt was made to take advantage of it. Still later, in 1835, Wrangell, the Russian commander, tried to secure more territory by negotiation with the Californians. Permission was granted him to erect a warehouse at Sausalito, but he was unsuccessful in his attempt to acquire more territory.

Whatever the Russian design was in the matter, the Spaniards were firm in their own belief that the acquisition of territory was their object.

In order to prevent the Russian advance to the southward two new missions were erected north of San Francisco Bay. These were San Rafael (1817) and San Francisco Solano at Sonoma (1823). The Spanish authorities stoutly protested that the establishment of these missions had nothing to do with the Russian settlements. They had frequently ordered the Russians to leave Spanish territory but had never been able to enforce the orders and naturally did not wish to admit that they had to call upon the missionaries to furnish means for preventing further encroachments. They gave out as the real reason for the move the unhealthfulness of the San Francisco peninsula and the desire for a better location, stating that if Fort Ross was thought of at all in connection with the founding of the northern missions it was only as an available market for their produce.

At any rate trade immediately sprang up between the colonists of the two nations, though all sorts of subterfuges had to be employed to circumvent the authorities in their attempts to enforce the restrictions against trade. Commercial relations were not to be stopped however; they were an economic necessity. The Russians needed the agricultural products of their southern neighbors who found no less desirable the manufactured products of the northerners which had become quite extensive and varied. The prin-

cipal materials were wood, iron and leather, and practically all of the output went to supply the California market. Several boats were built for Spanish officers and friars. Timber and tules were sent south and even to the Sandwich Islands. Pitch and meat were shipped to Alaska in home made barrels. Because of the very limited market however these industries were more useful than profitable.

The profits of the fur trade, while reported large, were never good except for a few years. The agricultural development was never sufficiently successful to more than supply the home demand. No attempt whatever was made to occupy and cultivate the vast fertile lands of the interior. The reason for this was probably twofold: the danger from Indian attack and the inevitable antagonism which such a course would have met from the Spanish-Californians. The latter was the more serious because it might have resulted in the loss of the California trade, which was the chief source of profit to the struggling colony.

Even as it was, the jealousy of the southerners was never overcome. In 1835 Father José Guiterrez complained of the "Russians and Anglo-Americans." This led Governor Figueroa to despatch General Mariano Vallejo to Fort Ross to investigate. He reported 700 horses, 800 cattle, 2000 sheep and 60 swine as comprising the live-

stock of the colony. Two small mills, a primitive shipyard and a tannery constituted the industrial plant. Governor Figueroa had entrusted General Vallejo with messages of good will to the Russians, which were no doubt delivered with all the suavity and exaggerated politeness of the early Californian character, but in his report to the Governor upon his return, Vallejo denounces the settlers as intruders and violators of the law of nations.

In spite of great efforts the Russian settlement was not destined to thrive, and four years more sufficed to starve it out. It had never been prosperous and was never a serious menace to the Spanish or Mexican possessions. In 1839 all of the personal property of the settlement was sold to Captain John A. Sutter for his colony at what is now Sacramento. The Captain paid for them by means of notes which were far beyond his ability to pay, and after two years of waiting the Russians left California never to return.

CHAPTER XI

THE MEXICAN REGIME — 1822-1847

THE kindly despotism of the friars had been the dominating influence in California throughout the Spanish period. But it did not take long after the change in political masters for the spirit of republicanism to pervade the hitherto quiet districts of the Spanish province. Almost simultaneously with the acknowledgment of the sovereignty of Mexico, the center of influence in the province shifted from the missions to the towns. These were not only increasing in size but in number. The nonmilitary residents of Monterey and Santa Barbara were organized into pueblos. Later the same thing was done at San Francisco. At the same time the removal of trade restrictions caused a great expansion of commerce of which the towns became the centers.

The missionaries were fully aware that with the substitution of a republican for a monarchial form of government, it became only a question of time when they must be deprived of all secular power. This they had expected under the crown of Spain, but it was always a far off and vaguely possible event until Iturbide's success made it an imminent probability. Even then they managed

to put off the fatal day and to enjoy the fruits of their labors for ten years after the establishment of the republic. But their star was waning and while actual secularization did not come until 1836, the pueblos had long before that time succeeded the missions as the dominating factor in the province.

The conditions existing in these embryo cities have already been described to some extent, and it will readily be imagined that this change of influence was not fraught with any great good for the country. The advent of republicanism, or rather the unfortunate circumstances that in this case accompanied it, converted the always turbulent and unruly pueblos into hot-beds of unrest, disorder, and even open rebellion. The annual quota of supplies and pay for the army, already dwindling under the last few years of Spanish rule, failed altogether under the republic. The troops stationed in California were reduced almost to a state of vagabondage. Upon them fell the full burden of the change of fortune. The increasing commerce enabled the *pobladores* and *rancheros* to tide over the time of adversity but the soldier had nothing to which he could turn his hand.

Another source of never ending trouble to the authorities was the constantly increasing tendency of the Mexican government to use California as a penal colony. Criminals were sent to the prov-

ince from all parts of the republic. This policy naturally provoked much antagonism on the part of the provincials. It gave birth to a feeling of bitterness against the home government which grew steadily, and prepared the way for the easy acquisition of the country by the United States twenty years later.

With a large number of unpaid and idle soldiers in a state of mutiny as material upon which hardened criminals could work, it was not long before serious disturbances broke out. Joaquin Solis was an exiled criminal who had been sent to Monterey. He gathered about him a large number of malcontents and placing himself at their head set out to take matters into his own hands. The revolt assumed large proportions and for a time all of the northern settlements, including Monterey and San Francisco, were in rebel hands. Finally Governor Echeandia, who had arrived as the appointee of the new republic, succeeded with a great deal of difficulty, but without battles or bloodshed, in restoring order.

The new governor had unconsciously set in motion a new disintegrating force by stopping at San Diego on his arrival in California and announcing his intention of making that his residence. There was no official transfer of the capital, but as in those days the governor was the government, the southerners were prone to consider their city as the seat of authority. One has only to call to

mind the intense jealousy between various sections of many of the commonwealths of our own day to realize the feelings of the Montereños at this uncalled for step. The seeds of sectional rivalry were sown and it took but a short time for them to grow and bear fruit.

We have seen how little the people of California felt the throes of the revolutions and counter-revolutions which took place in Mexico before the republic was finally established. For all the difference it made to them these internal disturbances might just as well have been taking place in a foreign land. But disorder and unrest at the center must have had its effect, nervous or psychological, upon the outlying districts. Before 1831 California was the most peaceful corner of the inhabited world. After that there were few months of the Mexican era during which some part of the territory was not in a more or less open state of rebellion.

Echeandia was succeeded in January, 1831, by Manuel Victoria and the seat of government, actual as well as legal, again shifted to the north and Monterey came back into its own. But the southerners immediately discovered that they were oppressed by the new governor, and under the leadership of Echeandia, who had remained in the country, they rebelled. The governor started south to quell the disturbance with an "army" of thirty men. He was met in the pass of Ca-

huenga northwest of Los Angeles by about 150 men from that city and San Diego. Avila, a leader of the southern forces, rode at the northerners with his lance poised. Pacheco, one of Victoria's aides, rode out to meet him. In the charge they were carried by each other. Avila wheeled, drew his pistol, and shot Pacheco through the heart. Turning again, he rushed at the governor. Victoria, though sustaining a severe wound himself, unhorsed his antagonist and ran his sword through his body. This was all the fighting which occurred at the battle of Cahuenga, for the wounded governor retired and shortly afterward surrendered. Echeandia sent him back to Mexico. Thus ended the first revolution and the first fight between men of Spanish extraction on California soil.

But the end of the first revolution and of the first fight did not mean the restoration of authority, although peace was restored for the time. Echeandia claimed to be governor and was supported by the south, while in the north, Augustin V. Zamorano was proclaimed as the head of the government. The attempts of these two to acquire undisputed possession of the coveted prize might have resulted in bloodshed had not their hostile armies very carefully avoided each other. The leaders finally agreed to divide the territory between them until a successor to Victoria should

arrive from Mexico. The year 1832, therefore, passed in tense peace and quiet.

California as a territory of the new republic was entitled to a representative, or *disputado,* in the Mexican Congress. This official was merely a lobbyist and had no vote in that body. The *disputado* at this time was Carlos Carillo, a man of large plans in which he and his friends were to act important parts. To the Congress he had loudly sung the praises of the Californians as a law-abiding population, and imagined himself on the eve of securing tremendous benefits for his constituents, when the news of the Echeandia revolt arrived to disturb his dreams and bring his work to naught.

None of the changes in the form of the territorial government, sought by Carillo, were made, and José Figueroa was despatched to California to assume the governorship and end the two-headed interregnum. He arrived in the early part of 1833 and immediately began to send to Mexico letters descriptive of the terribly disordered state of the country. These were followed by others telling of his own tact and diplomacy in overcoming the disturbance, which had really existed only in his own mind. One thing he did which had a far-reaching effect. This was to instruct Guadalupe Vallejo to establish a garrison, town, and colony in the Sonoma Valley. This post became the extreme northern settlement of

the country and was destined to play a picturesque part in later events.

In 1835 the *disputado* in the Mexican Congress secured an order making Los Angeles the capital of California Territory and the sectional struggle was at once renewed. Great was the excitement and disgust among the good people of Monterey. They presented a long array of what were to them unanswerable arguments against the change. When the order was confirmed they refused to submit to it. This might have resulted in further trouble had not the lack of public spirit among the Angeleños, who refused to furnish the necessary buildings to house the government, allowed the matter go by default. Monterey remained the seat of authority.

Feelings antagonistic to Mexico had now become so strong as to be the dominant factor in the California situation. These had had their inception ten years before in the earliest days of the republic when the supply ships ceased to arrive. It was felt in California that Mexico was neglecting the province. The republican government, even after it became firmly established, did nothing to allay these sentiments. In fact as we have already seen, it did the thing which was most likely to increase them, in sending its criminals to the territory. The feeling of antagonism, fostered as it was by constant criticism of the officials of the government, grew into an assumption of

superiority on the part of the Californians. From this it was an easy step to irritation at the idea that California received nothing from the home government and yet had to furnish its share of the taxes, bear with an alien rule, and worst of all have a Mexican, instead of a Californian, at the head of the local government.

Among the younger and abler Californians the conviction was widespread that the territory was amply able to furnish its own governor. Nothing like independence was thought of or suggested but it was determined that California should govern itself under the republic. The leader of this movement was Juan Bautista Alvarado. Seconded to some extent by his uncle, Guadalupe Vallejo, he organized the "rebel" forces and on November 5, 1836, captured Monterey, the "enemy's" capital, without bloodshed. Carried away by their success, the thought of a "lone star flag" may have flashed through the victors' minds. But these were not such men as found nations. They were able men, abounding in patriotism, but lacking in experience, and they were content to establish a local government for California, while acknowledging their allegiance to Mexico. In this they did well. They removed from the head of local affairs a Mexican politician, and substituted for him the best men in California.

But if the northerners were well satisfied with the outcome of this "revolution," the Califor-

nians of the south could see nothing in the whole movement but vile sedition. As a matter of fact they were no more loyal to Mexico than the northerners but sectional prejudice was too strong for them to approve of a northern rebellion by northern men. Los Angeles knew that the new arrangement would not bring the capital to the south. Its *ayuntamiento* therefore vigorously denounced the acts of Alvarado and his followers as violence and treason. This denunciation was followed by an invitation to the other southern towns to send representatives to Los Angeles to consider the situation. In this patriotic purpose the ambitious southern metropolis met with the disapproval of Santa Barbara. The people of this enterprising community had a plan of their own for saving the country. Their idea was to have a meeting at Santa Barbara of representatives from all parts of the territory and to lay aside sectional differences. While there is nothing in the public records to that effect, it is hardly probable that the good citizens of the channel city had overlooked the fact that their situation was central to all parts of the state and their city would have made a splendid place for a compromise capital.

But no more came of Santa Barbara's invitation than of that of Los Angeles, and Alvarado, hearing of the counter-revolt in the south, was on his way to quell it with twenty-five men. When he reached Santa Barbara that city very

courteously dropped her aspirations for leadership and furnished him with reinforcements so that he departed for Los Angeles with his army augmented to a host of 110 soldiers. On receiving the news of the approach of this armament the citizens of the Angel City pondered. They were very patriotic in their loyalty to Mexico but they were also extremely practical in the outward expression of that loyalty. They were fond of negotiation, diplomacy and bluster, but they cared not at all for blows. So they very sensibly decided that if Alvarado really wanted to be governor enough to come clear down to their gates to acquire the office they might as well let him have it. Alvarado entered the city peaceably and the counter-revolution was subdued without so much as a bruised head.

Such was the situation when news was received from Mexico that the government which had been established in 1824 had been superseded by the constitutional laws of 1836. The new regime was promptly and cheerfully accepted in the territory, and the oath of allegiance to the new government taken amid the great public rejoicing which was customary when Mexican California swore perpetual allegiance and undying loyalty to a new government.

The lull in the storm of California politics which was caused by Alvarado's prompt action and the acceptance of the new sovereignty was

not destined to last long. October 30, 1837, the news reached Monterey that Carlos Carillo, the erstwhile *disputado,* had been appointed provisional governor. The southerners immediately accepted the new official because he was one of themselves, but Alvarado did not see fit to turn his office over to him, and in this stand he was supported by the northerners. California again had two governors. Carillo opened hostilities and Alvarado sent José Castro, his general, south to quell this new rebellion. The opposing forces met at San Buenaventura, March 28, 1838, with about 100 men on each side. After two days of continuous firing one man was reported killed. Carillo's troops, not being able to withstand this slaughter, broke and fled. About seventy men were captured in the flight, all of whom except the officers were immediately freed. Carillo retired to San Diego and Alvarado's forces again occupied Los Angeles.

The treaty of Las Flores suspended hostilities a second time. The Los Angeles *ayuntamiento,* which almost constantly felt itself called upon to save the country either from the tyranny of the Mexican government or the madness of the " patriots " of the north, by a splendid exhibition of political agility declared Alvarado to have been the rightful governor all along. Carillo did not appreciate this and started a conspiracy to regain his lost governorship. He was almost immediately

arrested, but escaped and fled, ignominiously ending his ambitious career.

Alvarado, again master in California, had yet to reckon with Mexico. He was a rebel against his country and guilty of treason. If the self-appointed governor had any fears on this subject, they were quieted by the proclamation of general amnesty which arrived in California in November. This proclamation was calculated effectually to put an end to the rebellion in the territory, for it concluded by appointing the chief of the rebels, Alvarado himself, as governor. This was an unusual method of quelling a rebellion but in the present instance it is probable that no better move could have been made. The time was ripe for the selection of a governor from California's own sons, and among these no better man could have been found than Alvarado. He represented the best class of citizenship, and was popular among all classes; he was a young man of considerable ability and his administration was the most brilliant of any during the Mexican period.

Its most important feature was the drawing together of the quarreling factions in the territory and the diffusion of a better feeling among the people of the different sections. The matter of the location of the capital remained a sore subject, however, and Alvarado himself stirred up a great deal of antagonism by quarreling with his uncle, Guadalupe Vallejo, who had been made

commandant of the military forces of the territory. Both claimed the supreme authority and each was loath to surrender any portion of his claim. But these were merely unpleasant incidents in a successful administration of six years.

Another important feature of this administration, and one which constantly assumed more importance as the years went by, was the increasing influence of foreigners. This feature inevitably led to the question of the probability of foreign interference with the government of the territory, or even its conquest. But there was no ill-feeling engendered, and no excitement followed the suggestion. The foreigners who were already located in the country desired independence hoping that they would be able to control the California rulers. The Californians themselves took a very complacent view of affairs, "smoked cigarettes and waited, half-inclined to believe that a change of flag would not be an irreparable disaster." * The Mexican government, of course, took a very different view and opposed with all the means at its command the coming of foreigners into the territory, especially Americans. But the efforts of the authorities in this direction were practically nullified by the action of the Californians themselves, who generally welcomed the newcomers.

Many of the foreigners in the territory, however, were turbulent and disorderly, and also the

* Bancroft, History of the Pacific Coast States, Vol. XVI, p. 109.

undoubted source of many aggravations to the authorities. This particular class was made up of adventurers of a low type, deserters from vessels, and undesirable members of other communities.

Matters were in this state when an incident occurred which caused great excitement at the time and nearly brought on a war between Mexico and the United States. This was what was known as the "Graham Affair." The facts have been so differently told by representatives of the opposing interests that it is extremely difficult to arrive at the truth.

Isaac Graham was an American who had taken up his residence at Monterey where he was engaged in ranching and trading. He has been eulogized and denounced until it is impossible to determine his real character. From the weight of evidence it would seem that he was a rough, bullying fellow of the lower sort, and the leader of a crowd of kindred spirits. While it has not been positively proven, there is a strong probability that this aggregation of turbulent men was concerned in or at least acquainted with several plots to overturn the government, and possibly to set California free. Governor Alvarado feared them and with reason. He therefore determined to rid the country of them.

Taking advantage of a denunciation of the band by a William Garner to the effect that they

were engaged in a plot against the government, Alvarado had Graham and about fifty other foreigners seized and sent to San Blas as prisoners. This act was legally indefensible, but it seemed a necessity and it is noteworthy that the better class of foreigners residing in California at the time found no fault with Alvarado's course. They felt that while it was technically an outrage, it was a legitimate measure of self-protection. Twenty of the men arrested were afterward freed, paid a small money indemnity, and allowed to return to California. The remainder were deported from Mexico. The whole affair soon took subordinate place in the press of more stirring events.

Foremost among these was the arrival in 1842 at Monterey of Commodore Jones of the United States navy. He had been cruising along the Pacific Coast closely watching developments in regard to California. In the fall he received word that his government was at war with Mexico and he immediately set sail for the capital city of California, where he arrived on October 19. At four o'clock in the afternoon of that day he demanded the surrender of the city. At eleven o'clock the next morning fifteen marines were landed from his vessel with instructions to raise the American flag over the custom-house. This they did and declared the country to have been conquered by the United States. The following day, however,

Commodore Jones received authentic information that war had not been declared. Though somewhat crestfallen, he took prompt action to restore things to their former state and repair the damage he had done, after which he retired with a salute to the Mexican flag.

The Jones affair was merely an incident and had no bearing whatever upon the situation in California. In fact it had no other effect upon the territory than to furnish an opportunity for Manuel Micheltorena, the new governor, to puff himself. He was at Los Angeles when he heard of the landing of Jones at Monterey and he proceeded at once to make a splendid bluster about "driving the Yankees from the territory" but at the same time he was very careful to remain as far as possible from the scene of action. When the news of the Commodore's retreat was received Micheltorena in all frankness ascribed it to that officer's fear of his valiant army and their more valiant leader.

This much vaunted army consisted of a large number of *cholos* whom Micheltorena had brought with him from Mexico. Most of them were released from prison to go with him. The governor had no means with which to pay them and the *cholos* shifted for themselves by stealing from the citizens. Los Angeles was the first city which was afflicted with this body of troops and she was speedily cured of her ambition to be

the capital of the territory. There was much rejoicing when the governor and his army left for the north. The battalion was also happy for to them it meant leaving a somewhat worked out district for new and more productive fields. The only part of the population who were not pleased at the move was that which resided at Monterey. Nor were they better pleased when the lack of suitable housing for his officers caused the governor to quarter them upon the townspeople.

These things combined with the popular hatred of Mexican control and the ambition of some prominent Californians to bring about a rebellion. Manuel Castro was at first the leader of the movement and its ostensible object was the expulsion of the *cholos*. Alvarado and Pio Pico, a prominent figure in the southern part of the State, soon joined the rebels, who gathered an army of about 220 men. Governor Micheltorena graciously acceded to the wishes of this superior force without the necessity of a battle and promised to send away the *cholos* within three months. This promise was as readily broken as given and its breach gave the malcontents an opportunity to turn a movement against the *cholos* into a movement against him.

Micheltorena managed to gather a force of nearly four hundred men and started south to crush the rebels. But the rebels did not wait to be crushed. They immediately retreated. In the

pursuit the governor was careful not to come within a hundred miles of them until the rebels picked up courage and returned from Los Angeles to meet him. The forces mustered about an equal number of men. They came within long cannon range of each other at Cahuenga, the scene of a previous civil conflict. The Mexicans had three cannon and the Californians two. Heavy cannonading from these batteries continued throughout the afternoon, but as both armies kept in close shelter under the banks of the Los Angeles River, little damage was done. A Mexican horse's head was shot off and a Californian mule was injured by the flying debris. During the night some flanking was attempted which brought the armies together again the next morning at Verdugo. For almost two hours the cannonading was again indulged in without visible result, when Micheltorena raised the white flag and proposed a capitulation. This was accepted by the rebels and the erstwhile governor was unceremoniously shipped out of the country.

Pio Pico, as senior *vocal* of the junto, had been declared governor ad interim. Los Angeles again became the capital, though the northern officials seldom graced it with their presence. This resulted in a renewal of the old sectional quarrel in all its former strength. It was augmented by the personal antagonism which existed between Pico and José Castro, the military commandant at

Monterey. Pico was no man to control the situation or to retain the confidence of either party. He had steered his course too long by the star of personal advantage to give any one reason to trust in his disinterestedness under the present circumstances. His rule was one of increasing turbulence and was almost a constant round of riots and incipient rebellions which amounted to nothing, more because of their own lack of organization than from any inherent strength in the government.

CHAPTER XII

THE SECULARIZATION OF THE MISSIONS

WHILE the Franciscans in the face of vexing problems, which they were called upon to solve, assumed practically every outward sign of ownership, and though the Indians might have wondered just how much their interests took priority over that of their trustees, it must be remembered that of all the vast domains that were subject to the sway of the California missions at the height of their power, not one acre was claimed as belonging to the Order or any of its members. These lands were the property of the Indians. The friars never entirely forgot that they were missionaries and that some day they must move on to new fields. But the one great conclusion to which they could never bring their minds was that the time had arrived for a change. They always declared that the neophytes were not ready for citizenship, whether the establishment which it was proposed to secularize was five or fifty years old. And their contention was always true, though its declaration involved a confession of the failure of the mission system.

But such a confession contained no news for

those familiar with conditions at the mission establishments. The Indians were wholly unfit for self-government or even to care for themselves. In 1800 the death rate amounted to fifty per cent of the baptisms, while in 1810 it ran as high as seventy-two per cent. At Purisima in the latter year Payeras reported that most Indian mothers gave birth to dead infants. Throughout the province the ratio of deaths to births among the Indians was as three to two.

Governor Borica, while trying to find a way to better conditions, named four causes for this backward state of affairs. First, the loss of freedom, as the natives in their former state had been under no subjection whatever. Second, insufficient food. Third, filthy conditions of body and abode. Fourth, the coralling of all the women at night into narrow and ill-ventilated quarters. These latter he described as so foul that he could not endure them for a single minute.

The friars' reply to this somewhat sweeping indictment was to invite comparison of the mission Indian with his gentile brother, a comparison which they always made in favor of the former. They found more difficulty however in answering the charge of Governor Sola that the neophytes were lazy, indolent, and disregardful of authority, costing millions of pesos annually with no recompense to the body politic. This they could only deny, and try to extract from the real situation

some support for their position that the Indians were not yet ready for secularization.

Nevertheless the friars knew that secularization must come, always kept the impending event in mind and tried to keep themselves in the best position to meet it when it should come. The disposition which was made of the increasing wealth of the missions has always been and still is a mystery. Not all of it was used in California, and the conclusion is almost inevitable that it went where it would do the most good for the advancement of the interests of the Franciscan Order and would be available for its use in its approaching dark days.

The subject of secularization aroused concern in 1783, before San Diego Mission was fifteen years old. Bishop Reyes came to California with full authority to organize the missions into a custody. The College of San Fernando, the Franciscan institution which was the parent of all the California missions, succeeded in postponing action at that time and the matter dropped for nearly thirty years. But though dormant, it was not forgotten. The friars continued to strengthen their position against it and yet to prepare themselves for it.

September 13, 1813, the Cortes of Spain passed a decree which provided that all missions in America that had been founded ten years or more should be delivered over to the bishop at once.

The friars might be appointed temporary curates, but all temporal matters were to be taken from their hands. The lands were to be turned over to private ownership and the neophytes were to be governed by their *ayuntamientos* and the civil authority. Had this edict been enforced it would have meant disaster not only for the Franciscans but also for the Indians a quarter of a century sooner than disaster actually came.

But no attempt was made to enforce the decree in California until January of 1821. At that time Viceroy Venadito of Mexico ordered the missions turned over to the government and the bishops. President Payeras notified Governor Sola that the friars were ready, willing, and anxious to comply with the order and looked forward with joy to new spiritual conquests. But the bishop decided that in the then disturbed condition of Mexico it would be better to postpone the matter until imperial independence should be established.

The readiness of President Payeras to deliver over the mission establishments seems somewhat inconsistent with the oft repeated excuses of the friars for delay. But the President was well aware that the bishop had no curates to put in charge of the mission churches, and therefore could not let the friars depart. It was also well known to both the President and the bishop, as well as the civil authorities, that the missionaries

exercised an unbounded influence over the Indians and the latter authorities were very hesitant about the advisability or even the practicability of attempting to hold this great number of uneducated and untrustworthy people in check by any other means. Therefore the Father-President felt very safe in offering to comply with the order, for he knew it could not be carried out even if there had been a desire to do so.

In this manner another respite was obtained but still the dread of approaching secularization hung over the missions and their guardians like a black pall. It took away all incentive to indulge in the petty quarrels with the civil power that had marked the early days of mission history. The growth of commerce had greatly enhanced the material lot of the missions and their share in the prosperity which resulted from enlarged trade relations was a large one. But the success of republicanism and the unmistakable tendency toward secularization left little ground for hope. The friars were not in sympathy with the revolution. There was no place in a republic for their institutions, with their system of land monopoly, and their social conditions, some of whose features bore a resemblance to slavery. Padre Señan called upon God to pardon and save the misguided insurgents of New Spain and South America, who without divine interference were sure to ruin all and be ruined. Prefect Sarria absolutely refused to countenance

republicanism, but he left the friars to choose for themselves after the success of the republic. Their decision was not unanimous. Many declared unhesitatingly against it, but others, swayed by various influences, approved it.

The new republic, as soon as it became reasonably settled as to its internal affairs, was not slow to fulfill the fears of those who had struggled against it. Very soon it began to be generally understood that the prosperity of the northern territory depended upon the occupation of the agricultural lands by actual settlers. The missions controlled though they did not own a vast area of the most desirable lands in the country. It was inevitable therefore that forces should be set in motion which tended to the opening of these lands to settlement.

In 1826, however, the friars were still in control of the situation. This was due to their control over the neophytes and their ability to keep them quiet and at work. President Duran had carefully pointed out that the Indians of the pueblos were a serious menace to their communities. While the charge had been flung at the missionaries that their system savored of slavery, the Indians in the towns were in the actual condition of slaves. They were kept under strict surveillance, forced to do all the heavier work, and by a system of loans were kept in practical bondage. Such was the claim of the friars which

put off for a time, at least, the evil day of their downfall.

But it could only be retarded, not warded off. In 1828 came the news of the expulsion of the Spanish friars from Mexico and the sad plight into which the Franciscan College of San Fernando had fallen in consequence. The law which had brought about this expulsion applied to California as well as the other parts of the republic, but was not enforced there for the same reason that previous laws had not been enforced. Another law was passed the following year whose terms were still more stringent but its action too was suspended.

The enforcement of these laws was not postponed by the civil authorities because of any feeling of delicacy on their part for the position of the friars nor because of any lack of eagerness to get possession of the mission lands. Governor Echeandia and his superiors earnestly desired secularization and they desired it as soon as possible, but they realized all the serious aspects of the problem. They well knew that it was very largely due to the missionaries that peace and order reigned among the native population instead of turbulance and riot. They knew that any precipitate action meant ruin to the colony and that therefore it would be necessary to bring about gradually the much desired change of status.

The first actual step toward secularization was

under the decree of July 25, 1826. This allowed (but did not require) all neophytes who had been Christians from childhood or for fifteen years, who were married, and who had some means of earning a livelihood to leave the missions. The friars did not oppose this decree because scarcely any of the neophytes were in a position to take advantage of it. The friars were also convinced that those who did take advantage of the new decree would prove the utter folly of it. Only ten families out of 160 at San Diego and San Luis Rey could be induced to leave their missions.

So, after years of anxious anticipation, during which the friars had performed their duties as best they could with the constant dread hanging over them that at any moment they might be deprived of the fruits of their toil, the first blow had fallen. And because of their politic handling of the matter and the natural difficulties which must be overcome it was only a very light blow; one which they received almost with a smile. For four years more they were unmolested.

The plan of secularization of 1830 provided for the organization of the mission communities into towns, the division of the surplus lands among the neophytes but under the control of secular administrators instead of under the friars, and the maintenance of a separate *rancho* at each mission for the support of a place of public worship and a curate to officiate at its services. Gov-

ernor Echeandia attempted to put this plan in force but without much progress until after 1833.

In this year there arrived in California for the purpose of filling vacancies in the ranks of the missionaries ten more Franciscan friars. These new comers were not, however, from the College of San Fernando, (for in all probability that institution was unable to furnish the necessary men,) but from the Franciscan College of Nuestra Senora de Guadalupe de Zacatecas. The seven missions from San Carlos north were turned over to them. These men were far from being of as high quality as the San Fernandines.

While this influx of new workers lightened the burden resting upon the shoulders of those already on the ground it did nothing to put off the evil day of secularization. In this very same year the final blow fell and the doom of the missions was sealed. In August, largely through the influence of a company who desired to colonize mission lands, a law was passed requiring immediate secularization of the missions. A supplementary decree passed in November, allowed the colonization of the lands and to carry out not only the secularization but also colonization by the company,* authorized the use of the revenues of the Pious Fund.

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* Hijar and Padres, the engineers of this scheme, were later arrested and deported on a charge of attempting by means of this colony to separate California from Mexico.

This time there was no respite and the law was rigidly enforced. The year 1834 was marked by a shameful slaughter of the mission cattle and a widespread destruction of the mission property. Many of the missionaries regarded secularization as an outrage upon them and ceased to care for such property as was left in their hands. Their one desire was to convert everything into cash. Others accepted the inevitable with as good grace as possible, and assumed their new duties as curates without complaint.

Secularization under favorable circumstances would have injured no one. But to this end five conditions were necessary. These were honest administrators, intelligent neophytes, the cooperation of the friars, a watchful territorial government, and a healthy and undivided public spirit. As has been shown, none of these things existed in California and secularization was therefore foredoomed to be a matter more of ruination than of adjustment to new conditions. The years from 1836 to 1842 were years of high-handed spoliation. The governor used the grain and cattle as government supplies and paid government debts by orders on the missions for various products. The *majordomo* in charge, being a government employe, honored the orders as a matter of course. The men appointed as *majordomos* and *comisionados* ranged from incompetent and stupid to vicious and dishonest.

In the condition of the Indians, there had been no visible change for the better since 1769 which was at all commensurate with the money and labor which had been expended on their training in the intervening years. The mission property when it was distributed to them, or rather what was left of it after the government and the administrators had taken out their shares, was recklessly squandered and gambled away. The Indians for the most part became vagabonds, drinking and stealing in and about the towns. Many of them relapsed wholly into barbarism. At San Juan Bautista secularization was more complete than elsewhere with the result that the entire mission community was wiped out. The ex-neophytes were in constant turmoil for several years. They were finally quieted and a little settlement of about fifty souls sprang up nearby under the name of San Juan de Castro.

W. E. P. Hartnell, who visited all the mission establishments in 1839 as inspector under Governor Alvarado, found destruction and ruin at them all. There were but few neophytes left and these were ill-treated. Crops were neglected and the whole situation of affairs was so disheartening that he resigned his position in despair of ever accomplishing anything. In 1843 Governor Micheltorena conceived the idea of restoring former conditions, but such a thing was impossible, and the fact that the mission system was dead became uni-

versally recognized. Two years later Governor Pico ordered the sale at public auction of four or five missions and the renting of others. The returns were to pay off the indebtedness and the remainder, if any, was to go to the support of the prelates. The final end of the tragedy was marked by the death of Prefect Narciso Duran. The old man, realizing that the body of which he was the head was no longer a living entity, laid down the burden of life in 1846 and the mission system as an active force in the life of California ceased to exist.

The final disposition of the mission lands may be mentioned here. After the American conquest in 1846 there appeared title deeds showing the sale of twelve of the mission properties. These deeds bore the signature of Pio Pico as Governor of California and were dated between May 4 and July 4, 1846. In most cases these proved to have been signed either after the United States flag had been raised at Monterey, or even after Pico's return in 1848 and fraudulently antedated. Some were probably bona fide but in most of the cases the property was afterwards disposed of by the new government.

The mission buildings themselves, as distinguished from the mission lands are today in various states of preservation. Of Santa Clara, Santa Cruz, and San Rafael there is no trace whatever. Soledad is but a heap of adobe ruins.

Of San Diego, the oldest of them all, there remains but the front wall. San Juan Capistrano and San Fernando are still impressive sights though much of the ancient building has been destroyed. San Luis Rey, Pala, and others have been restored through the efforts of the Landmarks Club of Southern California. Santa Barbara and San Gabriel still stand in their pristine glory as monuments to the greatness of the past. Most of them have reverted to the Catholic church in one way or another and in many of them religious services are regularly held; while at San Luis Rey, and Santa Barbara colonies of Franciscan friars are to be found as in the olden days. But nowhere are there any Indian neophytes to be seen, for with a few exceptions the descendants of the California Indians are in their graves, literally exterminated by the onward march of a stronger race.

Another phase of secularization was the disposition of the Pious Fund to which the Mexican government succeeded to the trusteeship when independence was achieved in 1821. In 1836 a decree was passed setting aside an annual appropriation from this fund for the support of a bishop in California. A bishopric was erected and Francisco Garcia Diego became the first incumbent of the office with headquarters at Santa Barbara. The new bishop became the trustee of the Fund under this decree but this part of it was re-

voked in 1842 when President Santa Ana of the Mexican Republic came to the conclusion that the money, which now amounted to $1,500,000, should be administered nearer home. It followed naturally from this that there was no need to administer it at all and the entire sum was forthwith confiscated, the government recognizing an obligation to pay to the beneficiaries six per cent interest upon the sum taken. Needless to say, the payments actually made were few and small. This state of affairs continued for nearly sixty years when the whole matter was finally taken before the Permanent Court of Arbitration at The Hague and on October 13, 1902, a decision was rendered which bound Mexico to pay $1,460,682 as back interest, and the sum of $43,050 annually forever, to the Catholic Church of California.

CHAPTER XIII

LIFE OF THE CALIFORNIANS

UNDER Spanish rule California was a very small part of the domains of the then great Spanish Empire. Her people naturally felt themselves of small importance. Their governor was appointed by the central authority of New Spain and was always accepted by them without question. Under the governor were prefects and sub-prefects who assisted him in the administration of affairs. The only courts were those of the *alcaldes*, who were lesser local magistrates and whose duties and rank were very similar to those of an English squire. This simple form of government sufficed for all the needs of the peaceful and benevolent population of those days.

Almost nothing was known of the outside world. The knowledge of current events was confined to the name of the reigning king and the pope. There were no foreigners in California before 1785. Nothing was known of the American revolution or of the existence of the United States until the arrival of a royal order in 1789 commanding the governor to capture the American vessel *Columbia* if she put in at the port of San Francisco, which she did not do.

With tumult and war raging in almost every other section of the civilized world during the last quarter of the eighteenth century and the first quarter of the nineteenth, California not only remained peaceful and calm herself, but lived in blissful ignorance of the fact that there was any more excitement in any other part of the world than within her own quiet borders. The French Revolution was to her unknown; Napoleon was never heard of, and "Waterloo" meant nothing.

A ripple went over the smooth waters of this quiet backwater of the mighty current of the world's history when the French navigator La Perouse arrived at Monterey in the fall of 1786. He was in charge of a scientific expedition under the auspices of the French government. His stay at Monterey was a brief one, but it served to give the Californians something to talk of for many months thereafter. His visit was almost forgotten when Vancouver, the celebrated English navigator arrived. He made three visits in 1792 and the following year, making a considerable study of the conditions of the territory.

October 29, 1796, the first American vessel cast her anchor in a California port. She was the *Otter* of Boston, and sailed into the harbor of Monterey under the command of Captain Ebenezer Dorr. She was the forerunner of a large number of American trading craft which came

to the coast and carried on extensive smuggling operations. They found a ready market for their goods on shore among the people and no difficulty whatever in securing all the assistance necessary to evade the representatives of the government. The friars were among their heaviest buyers, but they were not always good customers. Captain Shaler furnished twenty of them with goods and took their notes. Only two redeemed.

The following year there arrived the news that Spain was at war with England. The whole country was excited over the prospect of hostilities. Men were drilled in every pueblo and the Indians were assiduously told of the horrors which would inevitably follow an English invasion. No English appeared and the excitement cooled. But so satisfied were the Californians with their own brave conduct under these trying circumstances that the later news of a war with Russia awakened no enthusiasm whatever.

The first twenty years of the nineteenth century passed with almost no occurrence to mar the even course of life in this far away province. The friars, with some slight competition from the civil authorities at Monterey, maintained an uninterrupted sway over the destinies of the country. The missions were the centers of all activity. Their message was peace and to them is due the full measure of credit for the orderly condition of the colony.

But with the advent of republicanism, this benevolent despotism rapidly lost its hold and, as has already been seen, fell from its position as the ruling power in the province to its own death. As the star of the missions waned that of the pueblos waxed and grew. Monterey, which had always been a town of the first importance as the seat of mission control, retained its prominence either because it was the capital of the territory or because it was vigorously endeavoring to regain that position. In 1825 Governor Echeandia took up his residence at San Diego which by that act became the virtual capital. The various attempts of Los Angeles to acquire this coveted honor have already been related.

So the pueblos became the nerve centers of the life of the province with private ranches stretching between as lesser centers. And as the center changed from mission to pueblos, so also changed the spirit of the life of the people. A religious benevolence had been the dominant note under the old regime but this was now succeeded by a happy-go-lucky existence whose laxity was in marked contrast with former conditions.

Under both the Spanish and the Mexican regimes the most strongly marked characteristic of the whole social system was its hospitality. Wherever one might travel in the province he was met with an open-handedness which was almost prodigal. The only hotels of any kind

were the missions. Any wayfarer was welcome here and when he was ready to leave he was not presented with a bill for the entertainment he had received. But while the missions served the purpose of hostelries, there was little need for them on this ground, for every home was open to all comers on the same generous scale. A guest in the house was one of the greatest pleasures of the housewife and her husband. A custom which admirably shows the spirit of this hospitality was that of "guest money." In the guest chamber of each home was kept a pile of coins. These were never counted but whenever the pile became depleted it was replenished, and any guest who might be in need of ready money was expected to take whatever was necessary for his needs.

The natural conditions were such as to foster this widespread feeling of hospitality. Everywhere throughout the land was plenty. There was plenty of land, plenty of horses, plenty of cattle for all comers. The woods and wilder regions were overrun with grouse, ducks, swans, antelope, deer, elk, panther, bears — black, cinnamon, and grizzly — and there were fish in abundance. Food, therefore, was to be had for the taking. The climate required little or no shelter during by far the larger portion of the year. Even houses were extremely inexpensive, the adobe soil furnishing free of cost all the necessary material. This served alike for the houses of the rich and

of the poor, the better homes being distinguished by a coat of plaster inside and out, and some of those belonging to the wealthiest being roofed with tile.

The men of California spent most of their days on horseback. Thousands of unclaimed horses ranged the hills and valleys. When a man was in need of an animal he went out and roped one to his fancy, training it himself. Few of the Californians were oppressed with any business cares, their day being largely spent riding from place to place, visiting, eating, and drinking with their friends. Living in the saddle, they became splendid riders and the more proficient among them easily ranked with the best of the Arabians and Cossacks. Inseparable from their riding was the use of the *reata,* or "lasso," as it is frequently called. In their skilled hands this became a formidable weapon with which even the grizzly bear was captured.

In the matter of dress, man and horse furnished a picturesque sight. An open-necked shirt, rich waistcoat, and short jacket surmounted either a pair of knee breeches with white stockings or trousers slashed and laced below the knee. A broad-brimmed, high-crowned hat richly trimmed with silver lace was worn. A bright red sash and a many colored serape or shawl added brilliance to the picture. The trappings of the horse were

gorgeous, silver-mounted saddles and bridles often representing a value of $1000 or $1500.

The women dressed in a loose short-sleeved gown, with a bright-colored belt, and satin or kid shoes. Necklaces and earrings were universal. The glossy black hair was worn in long braids if the owner was unmarried, but that of the matrons was held up with high combs. All classes wore the same kind of clothes to church but in the homes of the wealthier the very finest of silks, velvets and laces were to be seen. Many of the garments were made by the housewives, who prided themselves upon their skill with the needle. The women of rank were famous for their spotless linen.

The family life of that day seems to have been exceedingly formal. The household rose at dawn and all partook of the morning coffee. Breakfast was served at eight or nine o'clock. Luncheon followed at noon, and tea at four. Supper was the largest meal of the five and came at eight or nine in the evening. All of the meals were taken standing. Supper was followed by family prayers, after which the sons and daughters kissed their father's hand and withdrew. This ceremony was typical of the respect with which all children treated their parents. It made no difference what was the age of the children, there was no change in their manner toward their parents nor in their parents' manner toward them. A man fifty or

sixty years old would not smoke or wear his hat in the presence of his father; and fathers not infrequently administered corporal punishment with the lash to grown sons. But with all this strictness of ceremony the family life was pleasant and harmonious.

The thing about which the Californians bothered themselves least was education. There were no schools at all in the colony until 1795 when Governor Borica succeeded in getting classes started in several of the larger settlements. Some persons of better families sent their sons abroad to be educated but by far the greater number had almost no learning. A hearty laugh is reported when a class was informed that the world was round. By 1817 conditions had improved and Governor Sola reported schools in each of the presidios and pueblos. The schools received no support from the friars, for which no good reason can be found, and were always poorly attended.

At Monterey the sessions were held in a low dirty adobe hut with rude benches along the walls. The master, ferrule in hand, sat at one end on a raised platform. Above his head was a picture of a saint and a great green cross to which each boy addressed a *bendito* on entering. He then kissed the hand of the master and went to his seat. The ferrule was freely used and for more serious offenses such as laughing aloud, truancy, or failing to know the Christian doctrine, a

hempen scourge was at hand. The culprit guilty of one of these grave offenses was stripped to the waist, stretched upon a bench, a handkerchief stuffed in his mouth, and scourged. The subjects taught were the "three Rs" and the Christian doctrine from Ripaldi's catechism which must be learned by heart from one end to the other. On one occasion a general mutiny is reported, when a large number of hens were introduced into the schoolroom and the boys refused to assist at the flogging.

The religious requirements of the friars were very strict, though frequently disregarded. All of the formalities of the Catholic religion were carefully observed by the missionaries and the great majority of the people. The report that there were several copies of the Bible "in common language" in California led Prefect Sarria to take as great pains to suppress that book as he did to prohibit Voltaire and the *escandalisimo* waltz.

The great center of all social entertainments among the Californians was the *rodeo* or round-up. At this time, when the cattle were brought in and branded, all the people of a district were gathered together and there was much merry-making when the work was done. The principal forms of amusement were barbecues, the fandango or general dance and numerous individual dances, horse-racing, with its attendant heavy betting, bull-

fighting and bull and bear fights. The latter were especial favorites at the pueblos, where they found a suitable audience. A bull and a bear were tied together by a long *reata.* The bull first tried to escape. Finding this in vain he turned and fought but was almost invariably defeated.

Dancing was more in favor with the better class of people. At the time of the visit of the Russian commander at San Francisco, there was dancing at the Arguello house nearly every afternoon. The scene of the dance was either a spacious room or an open bower. One of the most famous entertainments of the early days was the reception tendered to Governor Sola when he landed at Monterey. He was waited upon on his arrival by a delegation of twenty girls who delivered an address of welcome. At the feast which followed the tables were laden with every delicacy of the province, game, olives from San Diego, oranges from San Gabriel, wines from San Fernando, and bread of San Antonio flour. After the banquet followed exhibitions of horsemanship, a bull and bear fight, and a grand ball in the evening.

Wedding ceremonies were always the occasion of festivities, though they did not take the important place which they do in our own day. There was great particularity in regard to the gifts which the groom gave to the bride. He was required by inexorable custom to present her with at least six changes of raiment. On the day of

the great event, the bride and groom rode to the friar on separate horses. After the ceremony they returned on one horse to the house of the bride to receive the blessing of the parents, and the usual festivities followed.

The life of the Californians, simple and usually peaceful (for the turbulence of the politics of Mexican days was really but a small portion of their life), nevertheless fostered certain vices. The men, raised in idleness and with pleasure as their only object, had no sense of responsibility and ambition was almost an unknown quality. As a result there was no advance in culture and scarcely any in commerce. Their civilization was at a standstill. And an unprogressive civilization is inevitably a retrogressive civilization. In California this retrogression made its appearance in excessive drinking, gambling, and a somewhat prevalent cattle-stealing. There were many incorrigible characters at the pueblos whom neither religious nor military discipline could affect. They kept the authorities constantly on the watch to prevent trouble with the Indian women, as well as excesses in drinking and gambling.

Commerce for many years was a negligible factor. This was due in part to governmental restrictions, even trade with the Spanish vessels being forbidden. But smuggling soon grew to be a common occupation, particularly among the friars. The local authorities were always inclined

to wink at the offense because they were on the ground and realized the necessity of this method of obtaining the means of subsistence for the colony which were denied by the commercial regulations of Spain. With the achievement of Mexican independence these trade restrictions were removed and there followed immediately a great increase in commerce of general benefit.

Some of the prices current in 1788 are interesting in this connection. Horses sold for from three to nine dollars; sheep, 75c to $2; fresh beef, 1c a pound; a gun, $4.50 to $16; saddles, $12 to $16; bridles, $1; shirts, $4 to $6; silk handkerchiefs and stockings, $1.50; shoes, 75c. Wages were low in proportion. The man who cared for Monterey chapel was awarded a salary of two dollars a month by the commandant. Governor Arrillaga disapproved of this and substituted a "slight allowance now and then."

But on the whole, with all its faults and shortcomings, this life of the early Californians seems to have been regarded by those who lived it as close to the ideal. Guadalupe Vallejo, after California had become the home of thousands of gold-mad men from all over the world, said with an air of mournful reminiscence, "It seems to me that there never was a more peaceful and happy people on the face of the earth than the Spanish, Mexican, and Indian population of Alta California before the American conquest."

CHAPTER XIV

JOHN A. SUTTER

THIS delightfully peaceful life was perhaps too Utopian to last long. By 1840 new forces were beginning to appear which meant a change in the old regime, the introduction of the struggle and strife of commerce, and a long farewell to the care-free days of early California. In 1839 there arrived at Monterey with letters of introduction to the governor, a handsome young man of most engaging appearance and attractive manners. The young stranger told many interesting stories of his early life, of his education, of his travel, how he had served as a captain in the French army, and immediately became a favorite with everyone. He succeeded particularly in ingratiating himself with Governor Alvarado, and confided to the governor his desire to establish a colony and erect a fort on the Sacramento River. He expatiated upon the splendid results the carrying out of such a plan would have; how it would serve to guard the frontier against Indians and other possible enemies; how it would extend the dominion and power of Mexico. It was a glorious picture he drew; and Governor Alvarado, much pleased with his young friend's plans, wished to

MONTEREY

(From an old print)

aid him in their realization. But the laws of his country forbade him to grant land to foreigners. The young man promptly overcame that difficulty by declaring his intention to become a citizen of Mexico. Forthwith the governor granted him eleven square leagues of land stretching away on either side of the Sacramento Valley — the gift of a prince. The amiable captain set forth for his new possessions with a heart full of joy and a few Kanakas to build his Mexican outpost. He was followed after a short time, by an emissary bearing papers declaring him a citizen of Mexico, and his commission as an officer of the government.

This young man was John Augustus Sutter and it is possible now to do what Governor Alvarado could not do, glance over his past career. If the governor could have done this, he might not have been so ready to comply with the stranger's requests. Sutter was born in the Grand Duchy of Baden in February, 1803. He was the son of a Lutheran clergyman. When the boy was but sixteen years old the family removed to Switzerland. John received a good education and afterwards became a soldier in the Swiss army. At the age of twenty-three he married. He had some little money or credit and at the time of his marriage he left the army and went into business. But his capital and experience were not equal to his ambition and the result was that he soon

found himself in bankruptcy. "Leaving his family in straitened circumstances and his creditors to settle his affairs," * he sailed for New York in 1834 with some vague ideas of forming a Swiss colony in America.

He tried his fortune in New Mexico, where his great enthusiasm resulted in serious charges of swindling being brought against him. These he did not care to trouble himself about so he left New Mexico for Honolulu. From the Islands he made his way to Alaska, and in 1839 reached California where his record was unknown and he could make a fresh start. He had visited Fort Ross on his way southward and very much admired it. It is more than possible that it was this secluded outpost that inspired his scheme for a colony on the Sacramento.

The site which he selected was far from any of the other settlements, and in this Sutter undoubtedly had other things in mind than the mere protection of the Mexican frontier. For with all his pretensions it must be admitted that he was far more interested in John Augustus Sutter than he was in the Mexican or any other government. If he was far from the seat of authority he would be proportionately independent and this was his main object. He became a Mexican and obeyed the Mexican laws only in so far as his own interests required it.

* Bancroft.

His land secured without the expenditure of any money, Sutter proceeded to acquire the necessary personal property for the establishment of his colony. He purchased from the Russians who were just abandoning Fort Ross, a launch and all their cannon, together with much other equipment which he thought would be useful to him. For all of these purchases he unhesitatingly gave his notes for thousands of dollars, and the Russians, though perhaps not so unhesitatingly, accepted them. He was now in a position to begin the actual work of building.

Sutter's Fort, or "New Helvetia," as its founder called it, was located near the site of the present city of Sacramento. The first buildings were tule huts built by the Kanakas, but within a year one adobe building had been erected. Sutter, whatever may have been his moral failings, was a good builder and he built on a large scale. He began the laying out of buildings and the works of a commercial civilization at once. Beginnings were made in agricultural development; cattle were secured; beaver were trapped; and a winery was established in which brandy was made from grapes. The following year work was begun on a port. The launch made frequent trips to Yerba Buena for supplies and what had so short a time before been a primitive wilderness became a bustling young community.

The principal danger was from the Indians and

in his policy toward them Sutter was extremely careful. He was just, watchful, prompt to punish any affront, and soon won the respect of the tribes in the immediate neighborhood of the settlement. It has been claimed that he was not so particular in his treatment of the more distant tribes and that he even seized some of their sons for service in his own establishment in a manner bordering on slavery, but this is undoubtedly an exaggeration.

In 1844, five years after Sutter's first visit to the site, Fremont arrived at the fort and has described it in his reports. An adobe wall eighteen feet high and three feet thick surrounded a quadrangle about 500 by 150 feet. The wall was marked every few feet by a loophole and at the opposite corners were bastions or towers mounting twelve cannon. Within this wall there was a second wall which was roofed over and included quarters for the men, workshops, a dwelling house, distillery, and other buildings.

This fort was the center of innumerable manufacturing and agricultural operations. There was a three-mile water-race and saw-mill at Coloma, a flouring-mill near what is now Brighton; one thousand level acres were sown in wheat, and eight thousand cattle roamed the hills. Two thousand horses and mules, one thousand hogs and two thousand sheep completed the list of livestock. The fort could accommodate a garrison of one

thousand men. At the time of Fremont's visit there were forty Indians in uniform on guard. Besides these there were thirty to forty white men of various nationalities in Sutter's employ.

The ostensible purpose of all this fortification in the center of a vast ranch was to afford protection for the men at the ranch and the Mexican frontier against the Indians. The real motive behind it all, however, was Sutter's romantic spirit and his desire to found a Swiss colony in America. The plan for such a colony never made much progress toward realization, but its author was successful in establishing a veritable principality in this new country. He was lord of a princely domain with legal control over all of its inhabitants by virtue of his position as the representative of the Mexican government. He had every material advantage which one could desire, and to consider his progress since his landing ten years before on the other shore of the continent as a bankrupt, must have given him great satisfaction except for one circumstance — his creditors insisted upon the payment of his obligations to them. This was the one thing that detracted from Sutter's full enjoyment of his position. In spite of his difficulties in this direction, however, Sutter was for years the leading foreigner in the country, and his fame soon spread beyond the confines of California. As emigrant trains made their way across the Sierras from the United States, Sutter's

Fort became their destination. It was the nearest outpost of civilization to the central passes over the mountains, and incoming Americans were there always assured of a warm reception and every assistance.

This welcome and succor which American immigrants received at the hands of Sutter must be credited with a large share in the later development of affairs in California. But Sutter was by no means a political missionary for American occupation. His one great aim was to make money, and he cared little under what flag he made it. American immigrants made good customers and created a larger market for his products, and therefore he welcomed American immigrants. His policy in this direction, however, soon involved him in difficulties with the Mexican authorities. They were suspicious of this tender regard for newcomers whose entry into the country their laws forbade and whom they themselves were none too anxious to welcome.

These differences became more and more bitter, and on some occasions became violent. At one time the Mexican officials opened negotiations for purchasing the fort for the purpose of stopping the welcome to Americans, but nothing came of them because these zealous officers had neither authority nor money to make the purchase. At another time Sutter threatened to raise the flag of France and secede from Mexican control. There

was little in these threats as he could not carry them out, but the fact that he made them shows his lack of loyalty to the government which had treated him so kindly and to which he had sworn allegiance. He had long regarded his connection with that government only in the light of a commercial asset, and he now began to look down upon all Californians as inferior beings.

While Sutter's welcome to American immigrants became widely known, he was not the only landed proprietor in California to extend a warm greeting to the newcomers. Guadalupe Vallejo at Sonoma followed his example and while his ranch was located farther from the most traveled routes, his expressions of welcome were no less ardent. During every year of the forties these two pioneers saw an increasing stream of men pouring into the country from the United States, until the number of citizens of this allegiance in the northern part of the territory became an important factor in the country's affairs. These men of another nation were to play an extremely prominent part in the immediate future of California.

CHAPTER XV

THE COMING OF THE AMERICANS

THERE were a number of foreigners and several Americans in California before 1841 though none of them attained the prominence of Sutter. John Gilroy, an English cooper, arrived in 1814 and settled at what is now known as Gilroy, as a permanent resident of California. Hugh McCulloch and W. E. P. Hartnell arrived in 1821 and established a commercial house which was very prominent in the early commerce of the country. In 1827 Jedediah Smith made his way across the Sierras and the Mojave desert at the head of a small trapping party. He soon became involved in disputes with the missionaries and left the country by the way he had come. Abel Stearns, an American, had reached California in 1828. He established a trading station at San Pedro and was frequently charged by the authorities with smuggling. In spite of this he was a strong influence in the upbuilding of the country. Others had reached California by sea but the whole number of foreigners was very small previous to 1841.

In that year a wave of interest in California and excitement over its possibilities spread over the United States. Letters and books describing

the country by those who had been there were filled with tales of wonder and great enthusiasm was aroused. Many started for this land of promise, most of them by water. Some of the braver spirits among them, however, packing their earthly possessions into cumbersome, but strong carts, started toward the great mountain wall to try its dangers and discover for themselves whether it were not possible to penetrate to the new country by land. The first of these emigrant trains arrived in 1841, and opened up the great overland route which led so many thousand Americans to California and so many hundreds to their graves.

The story of this first emigrant train has been told with much detail and it is typical of the experience of all the early overland travelers. Among the members of this party was a young Missouri school teacher, John Bidwell by name. The story of his journey is the more interesting to us as he afterwards became one of California's most distinguished pioneers. At the age of twenty years he started for the West. His first attempt to secure company for the trip to California was unsuccessful. He joined a party of several hundred settlers on the Platte reserve, who organized for the long journey but never started.

But Bidwell was not to be turned aside from his purpose. He finally gathered together a party of five families, sixty-nine persons in all, and made the start. They had plenty of oxen, horses, and

mules, but no cows. It was customary where long journeys were to be made across the plains by such a party as this to elect one of their number captain so that there might be some recognized head to the expedition. In the present instance the choice fell upon a man named Bartleson, who, like Bidwell, was a Missourian.

As none of this hopeful party had any more idea of the route to be traveled, than that California was west, they were fortunate in falling in with a band of Catholic missionaries under Father Du Smet who had an old mountaineer named Fitzpatrick in his service as guide. Traveling with this party they not only reached the Platte River in Idaho without mishap, but learned much of how to travel in this wild and unfriendly country. Every night the wagons were pulled up so as to form a hollow square with the horses inside. All of the cooking was done in the daytime and no fires were permitted at night so that the danger of discovery and attack by Indians might be lessened. Their lives were often endangered by vast herds of buffalo driving toward them, but this too they learned to avert by separating the herd with the noise of guns or by lighting large fires.

So they made their way into Idaho without serious accident, but at Soda Springs, where the route of the missionary party turned to the north and they could no longer travel together, half of

the party became so discouraged that they decided to abandon their original plan and to continue on with the missionaries to Fort Hall. But Bidwell and the remainder pressed on. They reached Salt Lake in September, meeting and overcoming greater hardships with every day's journey westward. They had to make their own roads all the way. They dug down steep banks. They filled gulches. Water was scarce and when they did find it, it was salty. It was finally decided to abandon the wagons and press on in an attempt to reach California before the snows began.

But they were inexperienced in packing animals and their trials and tribulations on this account were many. They followed the course of the Humboldt River to the Great Sink in Nevada. Because of the slow pace at which the oxen traveled they were able to make only eighteen or twenty miles a day. Suddenly Captain Bartleson announced his intention to take seven of the men and go ahead of the rest of the party. This resolution he proceeded to carry out and these traitors to the common cause took with them most of the meat that the party had left. In spite of the terrible discouragement which such actions as these meant to the rest of the little band, they struggled on with Bidwell in the lead.

Some days later this remnant of the original party were astonished to hear somebody in their rear. They waited for whoever it was to come

up and their surprise can be imagined when they found it to be Bartleson and his companions almost famished. They found no welcome of course, but Bidwell's band refrained from treating them as they deserved and the reunited party began again to work its way westward. At last they reached the summit of the mountains, and soon thereafter found the headwaters of the Stanislaus River. Following this stream they worked their way down into the San Joaquin Valley.

Seeing other high mountains far to the west of them they thought themselves still at least five hundred miles from their destination. Their joy was unbounded on reaching the ranch of Dr. John Marsh when they discovered that they were actually in California. Six months of terrible hardship had been spent in making the journey from Missouri, but now that was all past and they were at last in the land of their desire. Their ardor was dampened, however, when they learned from Dr. Marsh that they should have had passports to come into the country; that otherwise foreigners and especially Americans were forbidden to enter. Nor were their minds eased at all when the Mexican officials learned of their presence at the ranch. For a time it looked as if an attempt might be made to send them back across the mountains. Whether the authorities realized the futility of trying any such tactics as these or whether they

were stricken with humanity we are not told, but the newcomers were finally allowed to remain.

This was illustrative of the manner in which Americans were received in California. In Mexico they were cordially hated and the strictest *pronunciamentos* were promulgated entirely excluding them from the territory. The local officials, owing their positions to the central government, must of necessity make some show of carrying out its instructions and in every case they officiously questioned and badgered. But by the people of California these immigrants were warmly welcomed, not even the imminence of war between Mexico and the United States serving to affect in the slightest their feeling in the matter. Vallejo and Sutter vied with each other in the heartiness of their welcome, and the rest of the Californians followed their example. The officials, who must live among these people, and realized the futility of crossing them, could but bend to the popular will and shape their course accordingly.

Beside Bidwell's party many other overland trains arrived about this time and soon after. Their experiences were in the main like those of the party we have followed but as they had no Bidwell to report them they have not achieved the fame which has come to the first. One other, however, the Donner party, has become well known because of the hardships its members suffered and the frightful incidents connected with its history.

In April of 1846 a band of thirty-one emigrants left Springfield, Illinois, for California. The leaders of this party were James F. Reed and two brothers, George and Jacob Donner. They made the start with ten or twelve wagons but other parties joined them on the way so that when they reached the Platte River there was a line of forty wagons. Most of this enlarged party kept on the old Fort Hall road to Oregon and reached California in safety, but eighty-seven of them decided to take a new route known as " Hastings Cut-off," along the southern shore of the Great Salt Lake.

This new route was not a road; it was not even a trail. Instead of a week as they had planned, it took them a month to reach the shore of the lake. When they did arrive their animals were exhausted and it was evident to all that they had nowhere near a sufficient quantity of provisions to enable them to reach their goal. Not a man of the party but was utterly discouraged. Nobody knew what should be done. While the company was in this unenviable state quarrels became frequent. One of these between Reed and John Snyder ended in the death of the latter. Reed shot him, probably in self-defense, but so bitter was the feeling among the other members of the party that he was banished. He was given a few necessaries before he was sent away, and a thrilling story is related of his daughter, Virginia, a girl of twelve years, who made her way to him

out in the desert at night to take him some other things her instinct told her he would need.

What had been discouragement before this occurrence, was converted by it into the blackest of despair. Most of the party were ready to give up but realized that they were no nearer safety by going back than they were by pushing on. At this juncture two young men, Charles T. Stanton and William McClutchen, volunteered to press on to Sutter's Fort alone for aid. They started and no sooner were they gone than praise of their action was drowned in pessimistic prophecies that they would never return. They were young men who had no one in the party depending upon them. Once in safety themselves why should they trouble to come back to help others in whom they were not interested? But in spite of these black forebodings the party struggled on. They made their way well up into the Sierras and by the middle of October had reached the Truckee River. Here they were met by Stanton leading seven mules packed with provisions. He had proved his heroism and disproved the evil prophecies. McClutchen had been deprived of his share of the glory of this rescue by an attack of illness which confined him to his bed at Sutter's Fort.

Rejoicing was general but it was not to last long. Winter came on a month earlier than usual and winter in the Sierras is a monster of dreadful aspect. First, it deprived the suffering travelers

of their wagons. They could not travel through the snow. The provisions were packed onto the oxen, but it was only a few days before the falling snow completely obliterated the trails and the despairing men and women began to realize that they must face a winter in the mountains.

Unquestionably much of the later suffering and death might have been prevented at this time by a determined effort to cross the range at once or even adequately to prepare for a winter in camp. But there had been dissensions in the party almost from the start with the result that there was practically no organization. There was no man who was either an elected or a natural leader. With each head of a family left to shift for himself and his own, there were no concerted efforts to accomplish anything.

In this disorganized condition the party finally pitched camp at Donner Lake and no sooner had they stopped than the snow began to shut them in. Four months they endured the horror — their food ran low and then was gone. A party of fifteen, known as the " Last Hope " started forward on improvised snowshoes to try and make their way through and send aid. The heroic Stanton was of this party and sad indeed was his end. As the little band struggled on, each man fighting for his own life and having not an ounce of reserve left to help another, Stanton became numbed by the fatigue and cold. He constantly dropped be-

hind. But when the party stopped for the night he would come staggering in and next morning start on with them again. But one evening he did not come in. There was none with strength to go back to look for him. The following morning nothing was said but all started onward. Nothing more was ever heard of Stanton.

Several of the others shared Stanton's fate before the party got down out of the snows. A few managed to get through, however, and Sutter at once sent out a relief party under Captain R. P. Tucker. This body of rescuers had almost as hard a time to get back to the Lake as the members of the " Last Hope " party did to make their way out. They had the great advantage of a fresh start, however, and arrived at the camp on February 19, 1847.

Sixty-one had been left here. Several of these had died and the condition of the others was horrible in the extreme. There was no opportunity to dispose of the bodies of the dead for outside there was twenty-two feet of snow. This was shown later by the stump of a tree that had been cut at the time. On some of the corpses were the marks of teeth — tell-tale marks, for before this all the animals of the party had been eaten. There can be little doubt that the hunger of these poor beings had driven them to madness and that they little knew what they were doing.

A few days after the arrival of Tucker, a party

of twenty-three of the strongest started forward. Reed, who had made his way through to Sutter's Fort, led a second relief party to the rescue, and another band, this time seventeen strong, started on. This left fourteen at the camp. The rest had died and five of this fourteen succumbed to the unequal battle before the third relief party arrived and started back with five more.

There were now left at the camp a man named Keseburg, a woman named Murphy, George Donner, who was too ill to travel, and his wife, who nobly refused to leave him. The fourth relief party found all of these dead but Keseburg, who had sustained life by feeding on the bodies of the other three. He was afterward accused of killing Donner for his money and brought to trial. Later the charge was proved untrue. Had Keseburg had any such idea, he must have known that in Donner's condition it was unnecessary, and he was acquitted.

Of the thirty hopeful emigrants who had departed from Springfield dreaming splendid dreams of their new life in this great new country, only eighteen reached California. Of the eighty-three who were snowed in at the camp at the Lake, forty-two perished.

There were many parties which crossed the plains and mountains to California and suffered hardships and discouragements just as the Donner party did. About 250 persons came by this route

in the one year, 1845. Their stories if available would many of them be fully as tragic as that of the Donner party. But the records of the latter are fairly complete and it has long served as the type and example of what it meant to come overland to California in the forties. The experiences of the Donner party were probably worse than most of those who made their way through, but what shall be said of the hundreds who started and were never afterward heard from at all?

CHAPTER XVI

FREMONT — THE BEAR FLAG — 1846

THIS influx of strangers though not great in numbers, was working a rapid change in the aspect of affairs in California. The population of the territory at that time was small, and its interests were not at all vitally bound up with those of Mexico. In fact there was undoubtedly a large number of people who firmly believed that some other sovereignty would be far better for the progress of the country. As early as 1835 one of California's early historians, Mr. Forbes, noted the severing of the ties, which bound the territory to the central government. He said at that time, "California, however, is a distinct country from Mexico, and has nothing in common with it except that the present inhabitants are of the same family."

This feeling became more and more general as the years passed, and to it was added a growing conviction, not only that a political change would not be at all bad for the country, but that such a change was imminent. By June of the year 1846 this had become a certainty. The only question open was what the exact nature of the change would be. It must either be independence or the

substitution of the sovereignty of some other power for that of Mexico. Independence was never seriously considered, perhaps because the inhabitants of the territory knew it was an impossibility. The United States was the most frequently mentioned as the most natural and probable solution of the problem. There were present a large number of her citizens, and she was the nearest power. But France, and more especially England, each had an eye on California, and there can be no question but that either would have been only too glad to have acquired it if such an acquisition had not meant a war with the United States.

It may well be asked, What were the Mexican authorities doing in the face of all this treasonable sentiment? The local officials strongly protested their loyalty to Mexico and frowned upon any suggestion of a change in the political relations of the country. But even for this they seldom could spare the time. The history of California for the year 1845 and the first half of 1846 is entirely occupied with the petty controversies of Pico and Castro. In their personal quarrels were involved all the old dissensions that had divided the country ever since the beginning of the Mexican regime. It was the military against the civil authorities; the North against the South; Monterey against Los Angeles. In this unsettled condition of the territory any uprising which had any strength at

all was likely to succeed because of sheer weakness upon the part of the government.

While Castro and Pico were quarreling at a safe distance from each other, a band of explorers, sixty strong, was crossing the Rocky Mountains. They were searching under the auspices of the United States government for the best routes to the Pacific, and were in command of Lieutenant Colonel John Charles Fremont of the United States Army Corps of Engineers.* March 8, 1845, this party arrived at Sutter's Fort and was

* John Charles Fremont was born at Savannah, Georgia, January 21, 1813. His father was greatly interested in the study of the North American Indians and often took his family with him on his visits to their villages. Young Fremont for a time read law and was then put into a school to study for the ministry. He excelled in mathematics, however, and all his inclinations were toward engineering. After leaving college, he did not enter the ministry but opened a school in Charleston. While conducting this school he was employed to survey the rice-field of a wealthy neighbor. So well did he perform this task that he was given other and larger work in the same line. He soon became a professor of mathematics in the United States navy, and was later transferred to the engineering corps of the army. In July, 1838, he was commissioned a second lieutenant of topographical engineers and was sent west to take charge of exploring expeditions. In October, 1841, he married Jessie Benton, a daughter of Senator Thomas H. Benton of Missouri. This connection became of much value to him in his later life. Fremont's first expedition was in 1842 from the Missouri River to the Rockies. On this expedition he climbed the highest peak of that chain. The following year he went still farther west, reaching Oregon and California. His reports of these two trips are an important contribution to the scientific and geographical literature of the time. His third expedition, the one which brought him to California to stay, started in the fall of 1845.

given a cordial welcome. After a few days spent in the congenial atmosphere of the fort, the band passed on down through the San Joaquin Valley and out at the southeastern corner of the territory.

The next year, however, Fremont was back in California again. He arrived at Monterey in January, when talk of war between the United States and Mexico was rife. But war had not been declared as yet and these explorers felt secure in their position as guests from a friendly nation. To be sure, Prefect Castro asked the reason of the "invasion of his department by American troops," but Fremont courteously replied that his party was not made up of soldiers but that they were surveyors, assistants, guides, and the necessary helpers. The Mexican commandant was further assured that they were in the neighborhood simply for the purpose of securing supplies and that as soon as this object was accomplished they intended to move on into Oregon.

Castro gave his consent to this course, or at least he did not forbid it, and Fremont took the consent for granted. He soon had his party under way, but instead of going north as the authorities expected, it went south and west into the fertile and thickly populated valleys near Santa Cruz. Castro was greatly angered at this course which he could only look upon as perfidious, and ordered Fremont to leave California at once, inti-

mating that unless he did so, the Mexicans would take measures to enforce his departure. Fremont chose to consider himself outraged also, construing Castro's tacit consent to his going to Oregon into permission to roam over California at will. Therefore, when he received the commandant's threatening messages, he did not even deign to make a written answer, but simply sent back his verbal refusal to comply. His men immediately fortified Gavilan Peak, a small mountain with steep sides, raised the American flag, and bade Castro do his worst.

Of course this action on the part of the young Colonel was entirely unwarranted and inexcusable but it serves to show the fearless and determined character of the man. The little band watched through their glasses for several days the gathering of the Mexican troops. Castro had called for volunteers and about two hundred men had answered the call. They were not at all eager to attack American plainsmen behind log redoubts, however, and no advance was made upon Fremont. The latter's forces were becoming fearful of the failure of their water supply, and withdrew from the Peak, retiring to New Helvetia. The Californians loudly proclaimed their "victory," but made no attempt to pursue the retreating Americans. The latter left Sutter's Fort March 24 for Oregon.

About this time there arrived in the department

a lieutenant of the United States army, Archibald Gillespie by name. He made inquiries as to the whereabouts of Colonel Fremont, and learning that he had left for Oregon, set out to find him. Gillespie overtook Fremont's party just after they had suffered the loss of three of their number by a treacherous attack of Indians whom they had been led to believe were friendly. Gillespie delivered to his superior officer certain dispatches and letters whose contents are now unknown but which have been the subject of almost endless contention between the supporters and detractors of the "gallant Fremont." But while the exact nature of the dispatches is not known, we do know that he immediately retraced his steps to Sutter's Fort and gave up any intention of going on to Oregon at that time.

Very shortly after Fremont's return to the Fort, a party of filibusters seized, near San Francisco, a convoy of horses from Mexican troops under Lieutenant Arce. This was an act of war though no one knew as yet that the Mexican government was at war with any power. The next startling event occurred at Sonoma. General Vallejo was the principal figure in this part of the country, and at daybreak on the morning of June 14, he awoke to find his house surrounded by a band of rough-looking men dressed in leather hunting costume. He went out and demanded their business. Receiving no answer, he invited the leaders into

his house. These included Ezekiel Merritt and Dr. Semple. The others impatiently waited outside for nearly an hour. They finally decided to investigate and appointed William B. Ide to go in and report. He found all within moderately drunk with the moderation decreasing as fast as Vallejo's good wine could decrease it. His report of these facts caused a commotion outside and the Vallejos, father and son, came out. They asked to whom they were to surrender. No one knew. Some lost heart, began to fear the consequences of their action, and talked of returning to their homes, but Ide grasped the situation. He told his companions that if they stopped now they were no better than brigands and would be treated as such, but if they went on and won they would be the saviors of California.

This speech carried the day and made Ide the leader of the Bear Flag Revolution, for by this name the uprising started by this band of thirty-two American ranchers came to be known. The Vallejos and their secretary were seized and taken to Sacramento, where they were kept in ignominious confinement in rough and inconvenient quarters for two months in defiance of all justice and reason, and in sorry requital of Vallejo's kindness to Americans.

Ide and his followers after disposing of the Vallejos proceeded to the formation of a scheme of government for the "California Republic."

This was accomplished by conferring the powers of government upon the commander, and electing two lieutenants to assist him in their administration. The need of a banner was felt and the famous Bear Flag was brought forth to supply the need. A star and stripe were to be expected on the flag of any modern republic, but it was necessary to add something to these characteristics to distinguish the emblem from that of Texas. A grizzly bear was suggested and met with enthusiastic approval. The first flag was made of white cotton with a red flannel stripe across the top. A star was painted in in red and the bear in black. Some critics held that the animal looked more like a pig. Bancroft feels certain, however, that such suggestions can only come from those who have no respect for the feelings of the pig. Another necessary feature of any governmental act in California was a proclamation. On the 15th of June Ide issued a very wordy one which contained many splendid generalizations, with the idea of putting the revolutionists in the right light before the world.

While this progress was being made on the political side, the military side of the revolution saw less activity. No more battles were fought. There were several skirmishes which savored strongly of plundering expeditions and both sides laid themselves open to charges of cold-blooded murder. On the whole, however, the revolution

was well conducted and those were very few who were substantially injured by any phase of it.

On July 4 a great public celebration was held at Sonoma at which the country was declared independent. Martial law was proclaimed, and an oath was taken to obey the officers. The success of the revolution was now assured and the credit for this success was William Ide's. What then was his chagrin, when, at the very threshold of his reward, Fremont calmly put himself at the head of the movement and Ide found himself shouldered out of office and out of public notice. His greatness was gone forever. We can but sympathize with his righteous anger at his fate, while recognizing that he was almost wholly unfitted for leadership. He was an uneducated dreamer who spent his time during his brief career as a ruler forming plans for a Utopian republic in which everything should be perfect, and which should be conducted without any interference at all from such a thing as human nature. His plan was independence and then annexation. He bitterly exclaimed that from the time of Fremont's intrusion into the leadership the whole character of the movement was lowered.

Fremont's term as the head of the new republic was destined to be extremely brief, for five days after his assumption of the dignities of office, news came to Sonoma of the capture of Monterey by

the Americans, and the Stars and Stripes went to the masthead to take the place of the Bear Flag which fluttered down never to rise again.

The position of Colonel Fremont throughout the Bear Flag Revolt was an equivocal one, and even today his motives are not at all clear. That he aided and abetted in every way the men who took an active part in the movement there can be no question. But he would commit no overt act himself nor allow himself to be drawn into the affair publicly until its success was assured. His actions have been the theme of almost endless controversies among his fellow-citizens, his fellow-politicians, and California historians.

There is a story which was given currency by Fremont himself, and has been frequently repeated, to the effect that Lieutenant Gillespie, when he overtook Fremont on his way to Oregon, carried secret dispatches from the United States government which ordered him to return to California and bring about a political upheaval. But if there were any such dispatches they were directly contrary to instructions sent by the same messenger from the same authority to Thomas O. Larkin, the American consul at Monterey. Larkin's instructions were to bring about the peaceful separation of the territory from Mexico and its annexation to the United States. In view of this evidence Fremont's attempt to give the impression

that he was acting under instructions from the authorities at Washington must fail.

When all phases of the matter are examined it is hard to avoid the conviction that Fremont's strongest motive throughout the affair was that of personal ambition. He expected the news of a declaration of war at any moment and thought by taking immediate action to gain for himself the honor of the conquest of California. If war was not declared his leadership promised prominence in an independent California republic. He took the risk, and if this was his true motive he must have been well satisfied with the result, for it made him a popular hero, a major-general, a millionaire, a Senator of the United States, and a candidate for the presidency.

As an event in the social progress of California the Bear Flag revolution was a startling development. It was utterly at variance with the policy of the United States in regard to the territory. The time for action was queerly chosen, as news of war was daily expected. The whole movement was ill-timed and ill-advised. The usual reason assigned by its apologists, self-defense on the part of American settlers against the oppression of Castro, is hardly sufficient. To be sure he had ordered all Americans not naturalized to leave the country, thus virtually giving them their choice between death in the country and death in the mountains, but there were few indeed of the set-

tlers who did not realize that these orders were mere empty bluster and that it was utterly impossible for Castro to enforce them. Perhaps a very small number of the revolutionists acted honestly in this belief. But many of them were adventurers pure and simple. They were reckless men with nothing to lose, and the turmoil of a revolution always made opportunities to seize some advantage. Another class of adventurers, slightly better than the last, sought office under a new dispensation, believing that California manifestly belonged to the United States and the quicker it was brought in the better.

These men regarded the Californians as an inferior race who must be taught the blessings of liberty under the American flag. They were all filibusters and entitled to none of the praise which the world so gladly affords to honest revolutionists struggling against oppression. Some have attempted to give credit to them for effecting the change to the control of the United States, but, in fact, the movement had nothing to do with the conquest, which would have gone on exactly the same without it. On the contrary it is the Bear Flag incident that marks the beginning of all the degradation and oppression of the Californians by the Americans. From that time the two races misunderstood and hated each other. Without Fremont's misguided activities, Larkin would undoubtedly have brought about the conquest of

California freed from this misunderstanding and hatred. In all the list of Americans who had to do with the conquest and early administration of California, the name of Thomas O. Larkin alone stands above criticism.

CHAPTER XVII

THE AMERICAN CONQUEST — 1846

FOR nearly forty years several of the great nations of the world had been growing into a realization of the fact that along the Pacific Coast of North America there lay a country rich in the things that make a country worth having. To be sure this country had always been a source of expense and never of any profit to Spain, but she had lost it before the time for reaping the harvest came. Mexico, her successor, was blind to the value of her northern territory and made no effort either to develop the country or to strengthen the ties that bound it to the central government. It was evident to all long before the summer of 1846 that the country was under the control of a lazy and unenterprising people, and that it would surely soon pass into other hands.

The question as to whose hands it would pass into long remained an open one. The soft climate and fertile soil, in so many ways like her own, were attractive to France. Russia had always had in mind an advance from Bodega Bay which would take in the San Francisco Bay district. England wanted the control of the splendid harbors on the coast. And the United States had been keeping

a very close watch on everything which transpired in California ever since the Lewis and Clark expedition as far back as 1806. Even the year before that there must have been some demonstration, because in 1805 a militia company of seventy men was formed to defend the country against "Yankee" schemes of conquest.

The attention of the people of the United States was first drawn to California by the general use of San Francisco as a port by the New England whalers. Captain William Shaler published in the United States in 1808 an account of his visit to California. He remarked that "under a good government the Californias would soon rise to ease and affluence." In his opinion the territory would be an easy prey to some foreign nation, and he did not hide his conviction that the United States should be that nation.

While it is impossible to determine the actual plans which the rulers of France, England and the United States had formed in regard to California, it is certain that its advantages were recognized by all of them. And it was equally well understood that it could not long remain under the control of Mexico. The Americans always took it for granted that sooner or later California would belong to the United States. In their minds there was an idea that their country had a natural right to this western shore line. The Monroe Doctrine kept the European powers at a distance.

SAN FRANCISCO IN 1847

(From an old print)

They did not want California at the price of a war with the United States. And yet they did not entirely give up hope that some turn of fate would throw the country into their hands. It was the keenness and evident anxiety with which the English were watching developments in California that led Commodore Jones into his premature raising of the American flag at Monterey in 1842. The Britons were expected at any moment and prompt action was necessary. Jones thought best to err on the side of action.

Although this procedure of Commodore Jones was disavowed by the United States, it plainly showed the feeling of the American people with regard to California. There were other indications just as strong or even stronger. During Andrew Jackson's administration a proposal was made to Mexico to purchase all of northern California and the emissary of the United States was authorized to offer probably $5,000,000 for territory which should include San Francisco Bay. This transaction was prevented by the British. President Polk after his inauguration was outspoken in his conviction that the acquisition of California was one of the four principal objects of his administration. A second attempt was made to purchase the territory through John Slidell but it failed like the first. Then came the instructions to Thomas O. Larkin, the American consul at Monterey, to bring about a peaceful defection of

the territory from Mexico and its immediate annexation to the United States. Such instructions to a consul to a friendly nation cannot be regarded as highly creditable to the honor of the Washington government, but they show to what extent the determination to have California at any price had grown.

Although this determination was shared by all factions in the United States, the terms of the admission of the country were the center of a struggle in the halls of congress far more severe than any which was expected in California itself. The all-absorbing question at the time was slavery. To this vast moral and economic problem practically all of the thinking minds in the United States were turned. The members of the Senate were equally divided between the North and the South, and so equally divided on the great question. Each side wanted California to come in under the system to which it was devoted. Neither would give in. Yet they were agreed that the territory must be acquired, and preparations and expectations went on.

As to the preparations which might be made by Mexico and California for the change which even they must have seen impending, there were practically none. One instance shows the unprepared condition of the territory for defense and the utter futility of any attempts at preparation. When Texas became annexed to the United

States the Mexican minister instructed Governor Micheltorena to prepare for the defense of California. These instructions he carried out by immediately removing all the cannon at Monterey out of reach of the expected invaders and for more than a week the capital of California was the scene of constant activity on the part of his *cholo* army, which was ready to retreat at a moment's notice. Many of the inhabitants had also removed their effects into the interior because they feared not the Americans, but the excesses of the *cholos*.

At last the long-expected storm broke. After several skirmishes between the opposing forces, the United States declared, on May 13, 1846, that war existed *by act of Mexico*. But the object of the war was so thinly veiled that this declaration deceived no one. The acquisition of California was almost openly avowed by officials as the primary object and the occupation of the territory was one of the first matters to receive the attention of the authorities at Washington.

Commodore John D. Sloat was in command of the Pacific squadron, which consisted of seven vessels and a transport. This fleet was in Central American waters when its commander received through Dr. William M. Wood, a surgeon in the United States navy, the news of battles being fought on the frontier. Commodore Sloat proceeded at once with his fleet to Monterey, where

he arrived July 2. He met with no opposition whatever and on July 7, 1846, he landed 250 men, raised the American flag over the town amid the booming of a salute of twenty-one guns, and proclaimed the conquest by the United States. He had already sent orders to Captain Montgomery in command of the *Portsmouth* at Yerba Buena to do the same thing at San Francisco, and the flag flew over that port on July 9, seventy marines being landed to take the place. The same day the Bear Flag fluttered down at Sonoma and the Stars and Stripes were raised in its stead.

Sloat issued a proclamation requesting all California officials to continue the administration of their offices and asked that everything be continued as usual until a new government could be established. Captain Thomas Fallon captured San Jose on July 13. On the 15th, Commodore Stockton arrived from Honolulu and four days later Fremont came down from the north. He organized what was known as the California Battalion of Mounted Riflemen who did much to bring about the conquest of the country without a battle.

Stockton, who had succeeded Sloat in command, accepted the services of this battalion, adopted the acts of the Bear Flag Revolt, and determined to pursue the conquest by taking the interior towns. Fremont was despatched to San Diego, which he took without resistance on the 29th. Stockton

himself occupied Santa Barbara on August 4, and San Pedro on the 6th. From here he prepared to attack Los Angeles, the capital of the province. Governor Pico, and Castro, the commandant, fled, and the flag of the United States was raised at Los Angeles without opposition on August 13.

Meanwhile Stockton had fallen a victim to the Californian habit of issuing proclamations. The first appeared July 29, and contained many uncalled for and offensive references to the natives. These aspersions were inspired by Fremont who took advantage of the Commodore's ignorance of the real situation and reliance upon him, to strike at his own enemies. On August 17, a second proclamation was issued which in exaggerated terms declared California free from Mexico and that it was a military conquest of the United States. Stockton's attitude in emphasizing the occupation as a conquest is indefensible, for he nowhere met with the slightest resistance.

September 2 the Commodore appointed Fremont military commander of the territory. He was convinced that the entire country was quiet and that the American conquest was complete. His plan was to appoint Fremont as civil governor and leaving him in charge, to sail himself to conduct operations upon the coast of Mexico. This appointment he made, despatching Kit Carson to Washington with messages stating the condition of the territory and the steps he had taken

to establish a government. This done he and Fremont went north again.

Commodore Stockton was probably warranted in his assumption that the country was conquered and that there would be no fighting, but nevertheless, such was not to be the case. Toward the end of September, John Brown, after a famous ride on horseback, brought the news to Monterey that there was an uprising at Los Angeles and that Gillespie, who was in command there, was hard pressed. The Lieutenant had about fifty men and ordinarily this would have been a sufficient force to hold the town. But as has already been seen, Los Angeles was the home of a very turbulent population and trouble was inevitable if Gillespie tried to preserve order. This of course he attempted and the natives besieged his garrison.

The trouble began at the Chino ranch of Isaac Williams on September 26. Here about seventy Californians of tougher fibre than most had captured about twenty Americans who had little or no ammunition. This skirmish was not of any importance as far as the direct results were concerned, but its moral effect upon the Californians was tremendous. It had demonstrated that they could defeat the Americans if they were in sufficient numbers. While heretofore the Californians had derided Fremont's men as bears and the American marines as clowns, still they did not dare to

meet them in open fight. The Americans, on the other hand, regarded the Californians as guerillas who never could be made to fight. Each side had underrated the other. But this skirmish at the Chino ranch had served to convince the natives that they were correct in their estimate of the invaders and gave them new boldness.

They besieged Gillespie at Los Angeles and it did not take the Lieutenant long to come to the conclusion that the best thing he could do was to retire. This he was given permission to do, and was at the same time guaranteed against molestation while he withdrew. Gillespie made his way from Los Angeles to San Pedro and embarked on the merchant ship *Vandalia*. He did this with the greatest deliberation and for his slowness was accused of bad faith by the Mexicans. It is quite possible that he did not hurry matters in the hope that a war ship might arrive and save the situation, but no ship came. His evacuation was followed by that of the small garrisons at San Diego and Santa Barbara.

All southern California was now up in arms against the invaders. José Maria Flores had been elected governor and had taken the lead in the movement. He directed the military operations between San Pedro and Los Angeles when Captain Mervine attempted to retrieve the fortunes of the United States in the south. Mervine arrived at the harbor of San Pedro in command of

the *Savannah* on October 6. He landed 350 marines and with Gillespie's fifty men, set out to recapture the southern capital. But the Californians had driven away every horse from the vicinity of the port. While only 200 strong themselves they were splendidly mounted. They had one small cannon which was trained on the road near the Dominguez ranch. When the Americans came within range, this gun was fired and then hauled back out of reach, as it had been tied by lariats to the saddle horns of several of the Mexicans. When a safe distance had been covered it was reloaded and when the Americans had again marched up within its range, was again fired. This performance was repeated until six of the Americans had fallen. The bravery of the marines was unavailing in this kind of warfare and Mervine ordered a retreat. They retired carrying their wounded and the bodies of the dead with them. The latter they buried on a small island in the harbor.*

Commodore Stockton arrived at San Pedro on October 23, and because of the lack of horses there decided not to run the risk of repeating Mervine's experience but to go on to San Diego and direct operations against Los Angeles from

*Bancroft says that this island owes its present appellation, "Dead Man's Island," to this circumstance; but R. H. Dana in his "Two Years Before the Mast," written in 1836 speaks of it by this name and tells of an English captain who was buried there.

that point. A force of over 800 men, the largest military gathering yet seen in California, was mobilized at San Diego in the early part of November, preparatory to a move on the southern capital.

While these events were transpiring, General Stephen W. Kearny had entered California from New Mexico by way of the Colorado River. He had left Santa Fe with over 300 men under orders to proceed to California, wrest the territory from Mexico, and hold it for the United States. On his way to the coast he met Kit Carson bearing despatches to Washington from Stockton. General Kearny learned from this famous scout that the conquest of California had already been completed and that the territory was in the peaceful possession of the forces of the United States. Also he learned what a poor opinion Carson held of the native Californians; how they were cowards and would not fight. He therefore sent back to Santa Fe all but 120 of his men.

It will be remembered that Carson had left Los Angeles on his mission to the government at Washington before the revolt in the south was begun. He knew nothing and could guess nothing of the disturbance which had broken out since his departure. General Kearny marched forward therefore with a diminished force into the midst of a troubled situation for which he was totally unprepared. Early in December he was brought

to a realization of his mistake, which came very near having a disastrous ending.

Captain Andres Pico had been sent south by Flores to harass Stockton at San Diego and to keep horses and supplies away from the Americans. On the night of December 5 he encamped with his small body of troops at the Indian pueblo of San Pascual in Kearny's immediate vicinity. Kearny learned that these men were there, before Pico knew of his approach. The American general determined to advance in the morning and drive back what he chose to consider a band of marauders. His men, and more especially his animals, were in no condition for a fight as they were almost exhausted from their trip across the desert. Many of his men were even mounted on mules because of the scarcity of horses. But Kearny was convinced from Carson's stories that a loud noise was all that was necessary to defeat the Californians.

As his advance guard of fifteen men came to the top of the hill overlooking Pico's camp, Kearny, in the full confidence of his ignorance, ordered a charge, expecting to see the enemy flee as Carson had told him they would do. But Carson's experience was before Chino, and the retreat from Los Angeles, and Mervine's disaster at Dominquez Rancho. To be sure the Californians retreated: they fled. But in the first exchange of volleys they had killed Captain Johnston, who was

in command of the advance guard. The Americans galloped on in reckless pursuit of the despised and flying enemy but soon began to realize the weakness of their condition. Mounted on fresh horses, the Californians easily distanced their pursuers. The latter, because of the exhausted condition of their mounts, were drawn out into a long straggling line.

Suddenly the apparently defeated Californians wheeled upon their enemies. As they came up one by one the long lances of the natives did deadly execution. The firearms of the Americans had been discharged in the first rush and there had been no chance to reload. Clubbed guns and sabres in the hands of poorly mounted soldiers were no match for long sharp lances in the hands of the world's finest horsemen. The Americans, coming up in increasing numbers, finally drove off their assailants but eighteen of their own men lay dead upon the field. Nineteen more were seriously wounded. The Mexican loss was about twelve wounded.

The Americans camped on the field and could perhaps claim the day. But it was a Pyrrhian victory; its fruits were nothing. The next morning the weary troops set out for San Diego but were almost immediately surrounded upon a mesa near San Bernardo by a large force of Mexicans. They were cooped up there for several days, but Carson, an Indian, and Lieutenant Beale made their

way through the hostile lines, reached San Diego, and a relief force was sent at once. The Californians retreated in the face of these reinforcements, and General Kearny and his command marched on to San Diego. They arrived there on December twelfth, in a most pitiable condition. The General was himself confined to his bed for many days on account of his severe wounds.

On December 29, Stockton left San Diego with 600 men to capture Los Angeles. The Mexicans were defeated in a skirmish at San Gabriel on January 8, 1847, and there began an artillery duel with Flores' men on the outskirts of the city. The Californians had one cannon and several times their cavalry charged within one hundred yards of the American lines. But there was no serious opposition and the United States flag was again raised over Los Angeles on January 9. Five days later Fremont arrived from the north. He had received the capitulation of Andres Pico at Cahuenga. On Pico's surrender a general amnesty was provided for.

The conquest of California was at last complete. There had been various skirmishes in the north at Natividad, Los Virjeles, and Santa Clara. The revolutionists achieved some successes but these were neutralized by dissensions among their leaders and with the fall of Los Angeles all resistance ceased and the Americans held undisputed sway. The Americans have seldom figured as

conquerors in the sense of winning territory, and their taking possession of California shows them in a somewhat rare character. It may be seriously doubted whether in this instance they appeared to much advantage.

The next problem to be solved was that of governing the territory until a treaty fixing its destiny should be signed. If any of the inhabitants thought that with the taking over of the country by the Americans they would at last be relieved of the constant quarreling among the officers of the government from which they had suffered for nearly a quarter of a century, they were to be disappointed. California was not yet to see a unified and harmonious administration.

Stockton and Kearny, soon after the conquest was completed, became involved in a controversy over the supreme command. The Commodore after the first submission had planned a civil government with Fremont at its head. Had California but stayed conquered this arrangement would no doubt have received the approval of the Washington government. But there were two disturbing elements. The Californians had arisen against the invaders and Kearny had arrived. His instructions were to take possession of California and assume command of all troops there including volunteers, and of any which might be sent out later; then when the time came, to form a civil government.

Had he pressed his claim when he first arrived, all would probably have gone smoothly. But he had arrived at San Diego in a disabled condition and perhaps owing his life and the safety of his troops to Commodore Stockton. This officer he found in full charge of the preparations for the advance on Los Angeles. Under the circumstances Kearny felt great delicacy in asserting any prerogatives which he might have; in fact he refused to take command from the Commodore at that time.

After the occupation of Los Angeles, Kearny proposed that he then assume the leadership but by that time some friction had arisen between the two officers and Stockton refused to deliver it or to acknowledge that Kearny had ever had any orders to supersede him. He claimed that, while the army officer's orders were dated after his, they had been superseded by new events and that he and Fremont had already done the thing that Kearny had been sent to do. He also asserted the claim that his original plan of civil government still held good and that there was no need of Kearny's doing the work over again.

In pursuance of this line of argument he issued commissions to Fremont and Russell as governor and secretary of state respectively. This drew Fremont into the quarrel and he decided to stand by Stockton, though Kearny promised him the governorship as soon as he should relinquish

it a few months hence. Fremont's action at this time afterward resulted in his court-martial and dismissal from the army for disobedience to his superior officer, the government holding that Kearny was right. The trial, however, gave Fremont great prominence and his brilliant defenders, Senator Benton and William Carey Jones, succeeded in creating a popular feeling for their client which afterward made him a candidate for the presidency of the United States. President Polk remitted the sentence at the time but Fremont refused to re-enter the army and returned to California in 1849 as a private citizen.

The controversy between the two United States officers continued for some time, but Kearny finally yielded " to avoid a collision." Shortly after this new instructions arrived from Washington confirming his appointment to the supreme command. This he at once assumed, much to the discomfiture of the Commodore. Kearny exercised it but a short time, however, turning it over to Colonel Mason. This was followed by the removal of the capital to its old location at Monterey.

The period immediately following the conquest saw the arrival of a large number of newcomers to California. These came ostensibly as troops but they were in reality colonists. The most prominent body of men of this character was the Mormon Battalion. It had at one time been

President Brigham Young's plan to migrate to California one hundred thousand strong and perhaps gain control of it either as an independent commonwealth or as a state of the United States. This idea was never carried out in its entirety but about five hundred young men of the Mormon belief enlisted for service in California and thus were taken at government expense to San Francisco. As a shipload of their people had been landed here the year before, this city bore for a time the aspect of a Mormon community. But before long almost all of them went down to the town of New Hope, which their sect had founded on the San Joaquin River. They were a very orderly and industrious people and it was thought their effort to found a city in this location would be successful, but it was soon abandoned, most of the settlers making their way back over the mountains to Utah.

Another battalion was that of the New York Volunteers who had enlisted with the express understanding that they might be "discharged without a claim for returning home wherever they may be serving at the end of the war providing it is in the then territory of the United States." California was so plainly indicated that they were universally considered as an emigrant party under government auspices. At any rate no member of the battalion had a thought or dream of fighting. They arrived in San Francisco in March, 1847,

and after doing garrison duty for about a year in various parts of California, were mustered out to become citizens of the new territory. This body consisted of a very fair average class of young men from almost every walk of life. There were some undesirable characters, but on the whole they were a welcome addition to the population at that time.

When the armistice of February 29, 1848, was signed by the representatives of the United States and Mexico, all hostilities were suspended between the two warring nations. Pio Pico, who was governor of California at the time the storm of American invasion broke, took advantage of this armistice quietly to return to his former haunts with the announcement that he had come to resume the governorship. He did not get it. He was arrested, but after a week's confinement consented to give up his lofty ambitions and was released.

The treaty of Guadalupe Hidalgo was ratified at Washington March 10, and at Queratarо May 30, 1848. This ended the war and transferred California permanently to the United States. The good news was received in California on August 6. California thus became United States territory not by conquest but by treaty.

The government in the meantime was a military one maintained by the invaders. Pending the treaty the old system of local administration had been kept in force in so far as that was possible.

It was the universal expectation that Congress would provide for a government immediately after the treaty was signed. Governor Mason announced that this would be done. President Polk explained the necessity of it in his message to Congress. But the old question which continually arose to frustrate the possibility of any united and disinterested action in regard to California again came to the fore. The struggle over the slavery question prevented anything being done, and much to the dismay of the Californians the national legislature adjourned without taking any action on the matter. President Polk to prevent anarchy proclaimed a *de facto* government and continued Governor Mason in command. There was no warrant in law for this action, but it was absolutely necessary under the circumstances, and everyone interested accepted it as such without question.

CHAPTER XVIII

THE DISCOVERY OF GOLD — 1848

UNTIL the beginning of 1848 the great interior valleys of California were almost entirely undisturbed by civilization and had been explored only in the most cursory manner. As we have seen, the only settlement of large importance in the interior was Sutter's Fort. It was the great trading and distributing point for the neighboring country, and became more and more important as the rendezvous of Americans coming into California. Captain Sutter was the chief personage not only in the settlement itself, but in all the surrounding country. There were only about three hundred other whites in the vicinity and these were all directly or indirectly dependent upon Sutter's activities.

Among these white men who were working with Sutter was James W. Marshall. He was a native of New Jersey, and a wheelwright by trade, quiet, industrious, honest, but slow and queer, with a disposition almost morose. Upon his arrival at the Fort, he had entered Sutter's employ. One of the latter's wants was a saw-mill. He had been for some time looking for a good site and the proper man to take charge of the operations.

He finally decided upon a site at Coloma, about forty miles above the fort, and late in the year 1847 he chose Marshall as his partner to superintend the work of erecting the mill.

The dam had been completed, but difficulties appeared in trying to keep the tail-race free from obstruction. It was found necessary to open the sluice-gate every night to allow the debris which had collected during the day to wash through. On the morning of January 24, 1848, Marshall went out to close the gate preparatory to beginning the day's work. Some tiny particles of metallic dust caught his eye. He thought of the possibility of its being gold and tested it in the simplest way he could think of. He pounded it with a hammer and it did not break but worked out into a thin piece. At this even Marshall became somewhat excited. He put as much of the dust as he could hastily gather into his pouch and rode with all speed over to the fort.

He and Sutter locked themselves in a room and applied to the metal all the tests which they knew and had the means of making. It stood every one of them and they were convinced that it was gold. By a subtle intuition Sutter seemed to realize at once the terrible import of the discovery for him, and he slept little that night. If it was gold and the intelligence became general, his men would with one accord rush to the mill to gather the precious stuff and leave him without help to man-

SUTTER'S MILL

(From an old print)

age his now vast interests. Only too well was this prophetic thought realized and the discovery which meant so much to thousands of other men brought ruin to this pioneer.

It was at first thought that the gold might be present in small quantities only, but Henry Bigler found other traces in the neighborhood of the mill, and when Sutter himself made a trip over there to investigate he found indications of the precious metal all over the district. He resolved to keep the great secret for a time at least, thinking in this way to control the output. All the men at the mill were enjoined to remain silent on the subject. But it was too portentous a matter for any man to keep within his own bosom, and Sutter himself told several friends about it.

He also despatched a messenger to Monterey to interview Governor Mason and obtain the title to the lands on which gold had been found. This man spent an evening at Benicia in convivial company and soon forgot his employer's urgent injunction to observe the strictest silence as to the nature of his mission. If a sober man could not keep the secret a drunken one could not be expected to, and the wonderful intelligence was given to the world. From the beginning the news spread over California like wildfire. Before the messenger could make his way back to the Fort, prospectors began to arrive at the mills with pick and shovel.

Meanwhile the men who were employed there had not been idle. Every moment which was not required to be devoted to their work was spent in digging in every nook in the rocks with pocket knives. Under these efforts the boundaries of the field were soon extended. Every place the searchers tried they found new quantities of the precious metal. It was not long before they found that they could make more in a day by hunting for gold than they could by working for wages. One by one they dropped off and work at the mill ceased.

More steady going people at first refused to credit the story of a gold discovery or to consider it as anything of importance. The newspapers of San Francisco barely mentioned the fact without comment of any kind. But the subtle excitement spread. It claimed one victim after another. Little was said, but first one man, then another, quietly disposed his affairs and left for the mines, to make sure for himself just how things stood. The mystery of these departures added immensely to their importance. The excitement grew apace. Then these investigators who had departed so silently began to return well-laden with the precious dust. No more was there any silence. Wonderful were the tales they told of the boundless wealth to be had for the picking up.

By the early part of May, 1848, San Francisco had become a center of men gone mad. It would have been impossible to restrain the excitement

even if any attempt had been made to do so. Doubters and disbelievers joined the enthusiastic in one mad rush for the diggings. Every available means of transportation was pressed into service by every known route. Within three days an exodus of startling proportions was in full career. Husband left wife; father, children; servants, masters; and the masters followed. Even the newspapers suspended publication for lack of printers. If they had been able to find printers, it would have benefited them little for there were no readers. By the middle of June three-quarters of San Francisco's population had left for the gold fields.

Business was paralyzed. Prices of everything but mining equipment dropped to nothing. Food, clothing, and the necessary prospector's tools soared to unbelievable figures. Other towns all through the state caught the infection and followed rapidly in the lead of San Francisco. Their condition was like that of the harbor city. Offices, council-chambers and churches were all alike deserted. Merchants abandoned their stocks; the judge his bench; the doctor his patients, and the patients became miraculously restored to health and followed; even the criminal, with none to watch him, slipped his fetters and escaped; all to make their way northward to the fields which their imagination pictured to be of shining gold. The machinery of government at Monterey faded

almost out of sight and it was rumored that the Governor-general of California was forced to cook his own dinner.

Some cooler heads remained calm amidst all the furor. One old Mexican advised his sons to stay on their lands for he said, "God has given this gold to the Americans. Had he desired us to have it, He would have given it to us ere now." Others, too, saw the wealth to be gained by supplying the masses of gold-seekers with food and other necessaries, and held themselves in check to travel a less exciting but surer road to wealth.

Among these we might expect to find Sutter and Marshall. But such was not the case. They were neither of them big enough men to grasp and hold the opportunities given them. Sutter had played many a crafty trick but he had had a different kind of opponent from those with whom he now had to deal. The gold discovery, instead of adding to his wealth, tore from his grasp even that which he had already accumulated. Marshall, though he found the first gold, was pursued by ill-luck in his search for more. At last his lack of fortune began to prey upon his mind; he became obsessed with the idea that he owned all of the precious metal which was found. His petulance became unbearable, and he was driven from one camp to another until he died in poverty.*

* Some discoveries of gold were recorded in California before Marshall's. In 1795, three prospects were discovered in

the San Francisco jurisdiction. Metal was found in but one of them and it was never developed. Governor Sola in 1818 reported that most of the mountains of his province contained traces of metal. The Ortega mine near Monterey had produced some silver, and a few good specimens of gold had been found. In 1842 considerable excitement prevailed at Los Angeles because of a find in that neighborhood. Searchers secured about $2 a day for a time, but the supply was soon exhausted.

CHAPTER XIX

FORTY-NINE

BY VARIOUS ways the news of the great discovery traveled abroad. Ships took it by sea, the Mormons carried it over the Sierras, couriers were despatched from San Francisco who spread the tidings in the eastern states. The Hawaiian Islands, Oregon, and Vancouver were first affected. From there the excitement spread in ever-widening circles. The news of the discovery was first published in a prominent eastern newspaper in the autumn of 1848. The report at first met with incredulity which daily confirmation quickly overcame. Personal letters, Governor Mason's official report, and finally shipments of the precious " dust " dispelled all doubt.

California became the center of the world's attention which soon turned to " gold fever," and the whole world was affected. From every quarter of the globe came men seeking the precious metal. On a smaller scale in proportion to the population, but on a far grander scale as regards numbers, the scenes which were enacted in California in 1848 were reenacted all over the United States and all over the world in 1849. January 1 of that year the population of California was 26,000,

of which one-half were Californians and the remainder Americans and foreigners. During the year over one hundred thousand people came into the state. Four-fifths of these newcomers were Americans. The remainder were from all parts of the world.

There were three routes by which the gold-seekers reached California. Those from the Atlantic seaboard and Europe came for the most part in vessels around Cape Horn. Emigrants from the southern states took ship to the Isthmus of Panama and, after making their way across the continent at that point, again took ship up the coast. The great number of those who came from the middle states took the overland route by ox-train and "prairie-schooner."

About 140 ships left the Atlantic Coast for California in the month of February, 1849. Those who went by way of Cape Horn met with fewer hardships than any of the others in reaching California. Those who took the Isthmus route received from the agents of Atlantic ships ample assurance of connections on the Pacific side. But this assurance was without foundation and thousands had to remain on the Isthmus for weeks and months. Hundreds succumbed to diseases caused by the climate. Baggage was abandoned in the frantic efforts of these unfortunates to get aboard vessels, and fabulous prices were paid for any sort of transportation to California. As much as

$1,000 was paid for the privilege of sleeping on a coil of rope. This unfortunate condition was due partly to the enormous crowds seeking transportation and partly to the irregular service. There was little chance to remedy the latter evil, however, for the moment a vessel arrived in San Francisco she was immediately deserted by her crew.

The two favorite rendezvous for the overland journey were St. Joseph and Independence, Missouri. From these points the caravans followed the route of what is now the Union Pacific Railroad, or the Old Santa Fe Trail. Wagons of all kinds, from ponderous prairie-schooners to light carts, were in use. They formed a long line during the day and at night were drawn up in a circle to form a defense from an enemy and a corral for the animals. The Indians did not give much trouble at first as they did not know what to make of the situation but with the later caravans they got in their deadly work. Many of the emigrants who took this route stopped at Salt Lake greatly to the advantage of the Mormons, and some turned back from the Sierra Nevada even after having crossed the backbone of the continent.

The men who went overland were as a rule better fitted for pioneers than those who went by sea, but the greater difficulties and hardships often led to disagreements among the members of a party and not infrequently these were so sharp

Courtesy of the Chicago Historical Society

MAP OF 1849, SHOWING ROUTES TO C

The starting-point rendezvous for whi
cross the almost *terra incognita* of the far W
north-bound caravan trains made their wa
southern, route led to Bent's Fort, and the
the old Santa Fe Trail continuing on to K
ways beyond Salt Lake. As a rule, the fu
details of the journey and the dangers bes
prime objective, and once there the success
Western Guide Book and Emigrant's Direc
provided only the most meagre and general

IRNIA, OREGON, AND THE GOLD REGION

ly all the goldseekers and others, planning to med was Independence. Leaving that city, the rt Laramie and then to South Pass. Another, d north toward Salt Lake. Still another, was route to San Diego. There was a choice of e immigrants went the less they knew of the nd disasters were many. Sutter's Fort was a neers found easy way to the gold-fields. The 1849, from which the above map was taken, ons.

as to make a division necessary. Of the men who came by sea many were mere adventurers with none of the true qualities of pioneers. It was this class of men who did much after they had arrived in California to spread vice among the real workers, and to profit by their downfall.

For the overland pioneer and goldseeker, conditions of travel had not improved in any particular since the days of the Bidwell and Donner expeditions. The men and women of '49 had to face the same hardships and dangers of the wilderness that had brought death to so many of the pioneers of 1841. This very fact served first to weed out the weaker spirits and then to train the muscles, brains, and nerves of those who did win their way through, so that they were enabled to meet and overcome almost any difficulty that was within the range of human possibility. The journey of the Manly party has become famous in the annals of California and serves well to illustrate the mettle of these men of '49, and what they would suffer for gold.

William Lewis Manly was born near St. Albans, Vermont, in 1820, starting life when but a boy with a capital of $7. He went west and served his apprenticeship as a pioneer in Ohio, Michigan, and Wisconsin. When the news of the great gold discovery came in 1849, he determined to go to California and try his fortune. He started early in the year with Charles Dallas.

When they came to the Green River, Manly and six others decided to try to make their way to the Pacific by boat. But their experiences in the rocky gorges of that stream soon convinced them that the attempt must be abandoned and they returned to Salt Lake. Here they joined the party of Asabel Bennett. In the possession of a member of this party was a map showing an imaginary short route to Los Angeles. This they attempted to follow and before many days found themselves in the now far- and ill-famed Death Valley, so named from the hundreds of emigrants who afterward left their bones there to be stripped by the coyotes and bleached by the burning sun.

This valley lies along the eastern border of California in the latitude of Monterey and is worthy of its appellation. Its width is about thirty miles; its length, one hundred, and it is nearly fifty miles from its entrance to the first pool of brackish water. In its lowest point it is 160 feet below the level of the sea. Its barren sides are absolutely devoid of vegetation, and rainfall within its precincts is almost unknown. All day long during both summer and winter the sun's rays beat down with terrific heat into this fatal hollow, making it a veritable furnace, in which human life is shrivelled and burned until endurance is exhausted and the sufferer welcomes death as a relief from his tortures.

It was into this hell on earth that Manly and

his ill-fated party found their way and before they knew it were in its evil toils. The children cried for water but there was none for them. The oxen lowed in their agony and their cry added to the terror. Progress became slower and slower. The provisions were exhausted and one by one oxen were sacrificed to the call of hunger. Meat, blood, and hide were used to sustain life.

It soon became apparent that even these extreme measures would not avail unless outside help was procured. Manly and John Rogers, a Tennesseean, started on ahead to secure aid. They left behind them sixteen suffering beings to await their return to the desert. The horrors of the torturing dryness of the desert to these men traveling without water are indescribable but they pushed on. Weak, exhausted, sleepless, almost dying of thirst the thought of the helpless women and children back there in the desert spurred them on.

At last they arrived utterly exhausted at the ranch of Mr. French. Staying here only a day or two to recover their strength, they started back with two horses and a mule loaded with provisions. They had not gone far on the return journey before it became apparent that the horses would not be able to make the trip. With many misgivings they were abandoned to their fate and the two men pressed on with the mule. The difficulties which they had to overcome in getting even this one animal through some of the moun-

tain passes are almost unbelievable. Many times the undertaking seemed impossible but their loyalty forbade their giving up, and they kept on with their weary toil.

Finally, after an absence of twenty-six days, they sighted the camp. No one was in sight, but a shout brought a figure staggering from one of the tents. They were in time and the travelers were saved. The rejoicing was unbounded, preparations were immediately made for the departure, and on February 1, 1850, the party left Death Valley with the mule and the few remaining oxen. But their trials were not yet ended. They had a long toilsome journey on foot ahead of them. On this journey their provisions again gave out and they had to kill the oxen. For six weeks they toiled along and about the middle of March reached San Fernando Mission. They had been a year on the way and for four months had been lost in the wilderness. Even now there remained 600 miles to be covered before the gold fields could be reached.

By whatever route the adventurers arrived in California, once there the cry was "On to the diggings!" The miner stopped only long enough in San Francisco to procure his outfit. This consisted of a pick, pan, shovel, rocker, dipper, wooden basket, blankets, and a few simple cooking and eating utensils. Thus furnished, he

hurried on to join the throng of eager prospectors all pressing forward to satisfy the master passion for gold. With frantic oaths teamsters lashed their struggling mules, raising thick clouds of dust. Horsemen with heavy packs on their saddles passed them. Tented ox-carts were a common sight. And sprinkled through this toiling mass, almost lost in the dust and the crowd, were many footsore bearers of their own burdens of tools, arms, and supplies.

Sutter's Fort was the goal of these endless caravans. Here was assembled a throng of traders and miners, rough, sunburned, unkempt men in red or blue woolen shirts, deerskin suits, or oilskins, with now and then a Mexican with his picturesque short-jacketed suit, spurs and sombrero. This crowd was constantly changing as from day to day there came in new arrivals on one side and on the other there were new departures for the gold fields.

But even when the gold fields themselves were finally reached it was not the end of the journey. Overcrowded camps, rumors of great finds elsewhere, and most of all the cravings of a fevered imagination, led the seeker after yellow wealth on and on and on. Sometimes he was led to fortune, sometimes to utter wreck, often to both.

The conditions had a strange effect upon the country. Often several thousand people would congregate in one place in a few weeks after a

rich find had been made. Tents gave place to houses of wood and brick. Newspapers, sewers, even gas works sprang into existence seemingly out of nothing. A city charter was obtained and a municipal administration organized and then — a new find farther on and the new city's population vanished in a day, leaving silence and desolation over the erstwhile aspiring metropolis.

But this was not the only peculiar condition in the social status in California in 1849 and the following years which go to make up the period widely known as the " Days of '49." The population of the state was a motley aggregation in every respect. There were collected in a comparatively small section people from every part of the world and representing every known system of law, manners and morals. Less than eight per cent of the total population of the state were women, and in the mining districts this proportion was in many instances as low as two per cent. And the men were all young men; there were no gray heads among them.

This great, unruly, and unruled mob was one seething mass of excitement in the wild chase for gold. And of this excitement San Francisco was the center. Here were brought together the newly arrived Argonaut, the newly rich miner, and the scores of human leeches that preyed upon both. The number of men in the city who were not striving for sudden riches was negligible. The

Argonaut was pressing on to the gold fields; the returned miner spent his time and his pile of gold-dust at the gaming table in an effort to make more without even going to the trouble of picking it off the ground; and the leeches were watching every chance to rob and cheat both of these classes of all that could be taken from them.

The man who had sold his all in the East to go to California found that he must waste no time in San Francisco, or his little capital would quickly vanish. The rapid production of gold, and the prevalent use of the dust as money, depreciated its value at one time as low as $4 an ounce. Prices were fabulous. Picks and shovels sold for from $5 to $15 each; a tin pan or a wooden bowl for $5; a butcher knife for $30; beef with one potato, for $1.25; baked beans "greased" for $1; hash, low-grade, 75c; hash, "18 carats," $1; roast grizzly bear for $1; "square meal" for $3; wine and spirits for $10 to $40 a quart bottle; washing was done for $15 a dozen pieces. The smallest coin tendered for any service was a fifty cent piece. The quarter was seldom used even in the purchase of the smallest articles. Everything, even boot-blacking, was done on a grand scale. Wages for ordinary laborers were at the rate of $1 an hour. Terms at "Delmonico's Hotel" were $50 a week for "plenty to eat, if one was not too fastidious, and a good bunk to sleep in." The bar made things

a little noisy and an occasional free fight furnished excitement. Such were the conditions which the goldseekers had to face in San Francisco. Few remained more than one day.

The work at the mines was extremely hard. As one of the early preachers in San Francisco, Reverend William Taylor says, "there was more hard work than has ever been done in any country by the same number of men in the same length of time, since the world was made." The hardships were real as well as imaginary. The work had to be carried on under the blazing rays of the summer sun and at the same time in the ice-cold waters from the snow-covered Sierras. The strain of these conditions was hard on the strongest. This and the steady working in the wet drifts and tunnels was necessarily injurious to health. The food too was poor. Salt meat and no vegetables for long periods of time caused many to contract scurvy. The illness brought on by these conditions laid the foundation for crime by depriving many of the means of earning a livelihood. In October of 1850 an epidemic of cholera took off about a tenth of the population.

It is probable that the same amount of work as was performed by these miners in California, if it had been done in their own homes in their old employments, would have brought as large returns, but of course without the incentive of possible big strikes. Many averaged $100

MINING SCENE

(From an old print)

a day; some as high as $500 and $700. This bred a strong hope in those who were not so fortunate, and each man worked to his utmost capacity with the thought in his mind that it would be his turn next, and another day would see him a wealthy man.

At first operations were confined to surface picking and shallow digging along streams and ravines. These sources of supply failing, the streams were turned aside and their beds worked for the precious metal. This was supplemented by " dry-washing," a process of sifting out the gold. The surface gold was soon exhausted and more elaborate methods were introduced. These necessitated the use of machinery of a simple kind. Almost all of the eastern-made contrivances for mining were utterly useless, but one of them, the " cradle," came into very common use. It consisted of a long box which was constantly rocked while " pay-dirt " was flushed through with water. The gold sank to the bottom and the dirt was washed out.

In its result mining was much like gambling, and in the eager pursuit for gold was born the miners' passion for speculation which lost for many of them in the gambling halls of San Francisco all they had earned in the gold fields. The miner became restless and even when in possession of a good claim would drop it and hasten on at the rumor of a better find. The whole life was

a lottery. Land adjoining extremely rich claims was often worthless. And the wild rough uncertain character of the life itself made patient industry distasteful and even contemptible. A Mexican dug the gold-dust from his claim with a horn spoon from nine o'clock in the morning until four o'clock in the afternoon. In that short space of time he had taken out thousands of dollars. With his newly acquired wealth he set up a monte bank and bought a bottle of whiskey. By ten o'clock that night he was penniless and drunk.

The novelty and irresponsibility of the life led to much disorder and some crime, but the typical miner was a fair, square, sensible man. Most of the miners were influenced to some extent by their environment, but with few exceptions retained their manliness. In the early part of the rush to the mines gold-dust was often left in the tents unguarded with no thought of the possibility of theft. This sense of security was due to the determined attitude of the miners toward thieves. Quarreling was of course frequent but it was seldom attended with serious results. Every man knew his opponent was armed and drawing a gun usually meant death to one or the other, and often to both. Under these circumstances men hesitated to draw their weapons and most small matters were settled with fists.

Most of the mining was done in the summer months. With the October rains the cold became

too severe for work in the gold fields, and a rush for San Francisco and the other towns set in with such strength as to rival the rush for the mines. Some, content with their gains, returned home. But a far larger number, after a winter of riot in San Francisco, set out for the mines again in the spring as poor as they were a year before.

On his way to the gold fields the Argonaut had felt an earnest desire to get away with all possible speed from San Francisco and its exorbitant prices and vicious temptations. On his return from the gold fields, however, things assumed a different aspect. He was now in most cases possessed of riches beyond his fondest dreams, and with the means at hand he was convinced that his hard work had earned him a glorious time. Drinking and gambling were the natural outcome of sudden riches where there were no more worthy objects for their expenditure. Gambling saloons with their music and myriad lights were everywhere. Many of the most influential men of the place followed gambling as a business, even as a profession.

Few indeed were the men who were not to a greater or less extent the prey of these professionals. Everybody in the town joined in the game. Easy gain made losses easier to bear. Faro, monte, and roulette were among the favorite games. The stakes were usually from fifty cents to five dollars, but frequently they ran as high as

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$500 or $1,000, and in at least one recorded case $45,000 was bet. Other pastimes were bullfights, bull and bear fights, prize fights and horse races. By the end of 1850 the town boasted two theaters, the Olympic Circus and the Jenny Lind Theater. The drama was of the blood-and-thunder type and the mere appearance of a woman was sufficient to insure success. In spite of the low character of the productions, the influence of the theater was probably for good as it served as a diversion from gambling and drinking.

In the early days of San Francisco there were very few women and most of these were not of the home-making type. The few good women were angels to their neighborhoods. The social unit was the " partnership " rather than the family. Strange were the pairs yoked in this queer bond, but its ties were sacred and a man could always depend upon his " pard." Families gradually became more numerous, and before the home influence vice and sin slowly retreated. But housekeeping was attended with many difficulties. There were no female servants. Fleas, rats, and other vermin abounded. Laundry expenses were often higher than new underwear. Water was very scarce and the dwellings themselves most deficient. These conditions tended to retard the progress of family life, and to make more tempting the attractions of the vice-breeding resorts.

In the war of the home upon vice a few Chris-

tian missionaries lent their vigorous aid. Ministers like "Father" Taylor, Willey, and Hunt dared to raise their voices in the stronghold of sin and evil in a plea for righteousness and godliness. Many brave deeds are recorded of the days of '49, but a perusal of the experiences of these men compels recognition of their acts as among the bravest of them all.

It was not that the people of San Francisco and the other towns, where conditions were very much the same but on a smaller scale, were all evil. To reach California was in itself a task which implied energy and self-reliance; but moderation was not a virtue consonant with the California environment. Ancient traditions were forgotten and the newcomer plunged at once into the swirl of innovation and speculation. But not all his good qualities left him. Goodfellowship, hospitality and generosity reigned supreme. Pedigree was forgotten and the great principle of the West, "a man for what he can do," was firmly established. Among the miners there were many toughs, loafers and drunkards, but most of them were sound and honest beneath a rough exterior, and their strongest characteristic was a readiness to lend a helping hand to a fellow miner. It was this spirit that brought California through the trying days which were upon her, and enabled her to take a proud position among the commonwealths of the United States.

CHAPTER XX

THE ESTABLISHMENT OF A GOVERNMENT

AT the time of the gold discovery there were about ten thousand people in California, of whom two thousand were Americans. A year and a half later the population of the territory had increased to 80,000. During all of this time, and with this tremendous influx of population California had been practically without a government. Commodore Stockton had ordered at the time of the conquest that the old laws and usages of the department should be continued in force. But from being the quietest corner of the world California had suddenly become the busiest, and with the arrival of thousands of newcomers the older inhabitants became lost in the crowd, and it was impossible to discover in many cases what these old laws and usages were.

California was tried as no other American community had ever been tried. She had to solve problems in law and government such as no other community anywhere was ever called upon to solve. The trial showed both the nobility and the weakness of the American character. Brutal passions had full sway and had to be conquered by all the powers that could be summoned against

them. The problems to be solved were American and not Spanish, and they had to be settled in an American way. The American system of law was that of most of the newcomers, and it was evident that this must soon supersede the antiquated Mexican system.

The news of peace with Mexico was received August 6, 1848, and every one in the territory thought that the first action of Congress would be the establishment of a government for California. But Congress, for reasons we have already learned, did not take action. It adjourned and left the problem untouched. The avowed object of the Mexican war was the acquisition of territory. As it was generally thought that this territory would be in the South, the southerners expected it would naturally become a slave territory. But the question of slavery never became vital as a local question in California. It settled itself there for neither soil nor climate were adapted to it, and sentiment was against it. And so when California applied for admission to the Union it was as a free state. This unexpected turn of affairs wholly upset the plans of the southerners and aroused violent and bitter opposition on their part to the admission of the new state.

While Congress was struggling over the matter and doing nothing the settlers themselves took steps to remedy the evil conditions. California was full of strong men. They had been picked in

the East and the journey over the plains had strengthened them. It had made them serious. The struggles with the dangers of the great mountain ranges and their final conquest had added much to their power. From the two they had acquired a sturdy self-reliance which led them to face this new difficulty courageously.

As early as February of 1847 the *California Star* had urged a convention to form a constitution because of the utter inadequacy of the existing order of things. But it was not until December 11, 1848, that anything like a real meeting on the subject was held. This was at San Jose and a general convention to form a government was recommended. Another meeting was held in San Francisco shortly after and this was followed by others throughout the state. The people of San Francisco actually started a temporary government for themselves with fifteen members in its legislative assembly. The other officers consisted of three magistrates, a treasurer and a sheriff.

The sentiment everywhere was in favor of a convention to form a constitution, but nobody seemed to know just whose duty it was to call it. Governor Mason's position was extremely difficult. He was chief of a country where the forts were without soldiers, the towns without men; a territory without legislators or laws, and communication with his home government slow and infrequent. Neither he nor the President had any

power to establish a government until Congress should act. So everything in California, including the government, had to be improvised, for the territory had no legal status after the treaty of peace. There was no provision in the United States Constitution for such a situation. An attempt to legalize the status of the country was made by the officials of the United States who claimed that the continuance of the military government rested upon the consent of the governed. This consent was presumed from the fact that their only alternative was anarchy, and that no people would choose that where any other government at all was available.

When General Bennett Riley succeeded Mason as governor, he took matters into his own hands and called a constitutional convention to meet at Monterey, September 1, 1849. This assembly was empowered by the proclamation which brought it into being, to make such laws " as did not conflict with the Constitution of the United States, nor the common law thereof." As it was an entirely extra-constitutional body and there is no common law of the United States, its position was somewhat indefinite.

Not on this point but on another many of the settlers dissented from this proclamation. They thought that Riley, being a military officer, had no authority to call a constitutional convention to establish a civil government. But largely through

the efforts of Peter H. Burnett, who afterwards became the first governor of the state, this opposition was overcome. He arranged for a citizens committee to call a convention at the same time and place as Riley's and give it the same powers. Thus the convention, when it did meet had a double sanction, though the authority of either source was very questionable. However, no one questioned its acts. The feeling was universal that it was better to have a government than to squabble over the means of getting it.

General Riley, General Persifor Smith, and Thomas Butler King traveled about the country arousing interest in the convention and emphasizing the importance of it to every citizen of California. They succeeded in persuading the people to stop in their mad pursuit of wealth to elect suitable delegates. This election took place August 1, 1849, and was marked by no disturbance of any kind. Most of the delegates, after their election set out for Monterey, going part or all of the way by ship. One of the boats which carried many of the delegates from the southern part of the territory, the United States Steamship *Edith,* was wrecked on the way up the coast.

The convention was called to order in Colton Hall at Monterey, September 1, 1849, in accordance with the two proclamations. Dr. Robert Semple, a veteran California editor, presided. He stood before the meeting, a giant in stature, and a

splendid example of the plain, right-thinking man who was the type of the best California citizenship of the time. William G. Marcy was elected secretary of the convention.

Forty-eight delegates answered the roll call. The nationality, age, and business of these delegates is of great interest. Seven were Hispano-Californians; Ireland, Scotland, Spain, France, and Switzerland were represented by one each; the remainder were Americans. Of the whole number twenty-two had been in California three years or more. By occupation, fourteen were lawyers, twelve farmers, seven merchants, and the remainder were engineers, bankers, physicians, and printers. The average age of the delegates was thirty-six years. Prominent among them were such men as Sutter, Larkin, Gilbert, Vallejo, Pico and Carillo. The make-up of the convention refutes the statement which has frequently been made that California's first constitution was framed by ignorant gold hunters.

The delegates realized the importance of their task and to a great extent its difficulty. They did not pretend to originate a constitution but carefully compared those of other states, and selecting what they thought were the best features of each, succeeded in framing a very acceptable instrument.

The first question to be decided was whether to form a territorial or a state government. This was decided in favor of the latter. Then came the

slavery question. The master of the convention was William Gwin, a southerner. He had come to California especially for the purpose of furnishing that future state with at least one piece of timber out of which she could fashion an honored public servant. He was the leader of the so-called southern element which was supposed to be in control of the convention. Of the delegates, twenty-two were from northern states, fifteen from slave states, with seven native Californians and four foreign born. Gwin felt that to try to insert a clause permitting slavery in the constitution under such circumstances was to invite almost certain defeat. The resolution against this institution therefore passed by a unanimous vote.

But this was not the end of the slavery question. Gwin was a southerner of the southerners, and the clause prohibiting slavery did not destroy his hope of winning something for the cause. In due time the question of the boundary of the new state came up for discussion. The territory ceded by Mexico included the present states of California, Nevada, Utah, Arizona, and parts of Colorado, Wyoming and New Mexico. Here Gwin saw an opportunity and he led his followers in an earnest attempt to include all of this territory within the borders of the new state. It was the scheme of the southerners to bring California into the Union with this enormous territory, and later to divide it along an east and west line, making

of the southern portion one or more slave states. The struggle was sharp and the result was for a time in doubt. But Gwin had an ambition to be one of the first senators from the new state and he could not afford to antagonize the anti-slavery sentiment. He withdrew his opposition and the boundary was fixed as it is today.

The question of taxation also aroused some feeling, and this time the whole delegation from the southern portion of the territory stood together. It became apparent at once that under the system of taxation in common use, the holders of the enormous Spanish and Mexican land grants in the south would pay almost the whole cost of the government of which all would receive the benefit. This difficulty was overcome by the establishment of a system of locally chosen appraisers.

The labors of the convention were ended and the constitution signed October 13, 1849. The news that the great work was finished was received with prolonged cheers, salutes of cannon and the unfurling of flags. Thousands of copies of the new constitution were immediately spread broadcast over the country. Every remote ranch and mining camp all over the state was busy studying its provisions. One month after its completion the new constitution was ratified by a fifteen to one vote. Only one-sixth of the Americans in the territory voted.

Governor Riley proclaimed the new constitution

to be duly " ordained and established," and quietly surrendered the government of the state to the newly-elected governor, Peter H. Burnett. In the election Burnett had defeated three other candidates, including John A. Sutter who received the third largest vote.

Governor Burnett called the new legislature together December 15. No capital had been fixed by the constitutional convention but the legislature was required to meet at San Jose until it was removed by law. The building in which the sessions were held was provided by the people of the city. It was an unfurnished box sixty feet long by forty feet wide. The assembly hall occupied all of the second floor while the senate chamber and offices were located below.

The first business to be transacted was the election of United States senators. California had not been admitted as a state as yet, but everybody felt so sure it would be without delay that the election of senators was considered of primary importance. John Charles Fremont was chosen on the first ballot and William Gwin on the third. The next act was to begin borrowing money to pay expenses. This was done with alacrity. These two important matters disposed of, the legislature proceeded to the enactment of laws for the government of the new state. A code was adopted which, like the constitution, was for the most part

copied from the statute law of other states and which was, on the whole, very acceptable.

The matter of the location of the state capital was one which continually recurred during the early years of the commonwealth. The constitution had failed to fix the seat of government, and the consequence was that it was peddled about the state for years, before it found its final resting place. San Jose, Sacramento, Vallejo, and Benicia were at various times contestants for the honor, and each of these cities was the home at one time or another of one legislature or a part of one, for on two occasions it was moved in the middle of a session. The supreme court of the state became involved in the discussion at one time and for some months was at variance with the legislature on the subject. Sacramento was finally chosen and became the permanent seat of government in 1854.

California, in so far as she herself could accomplish it, had made herself a member of the Union. But the Union had so far failed to perform her part of the ceremony. The question of the admission of California had become the focusing point for all the forces which raged about the question of slavery. The southerners realized that if California came in as a free state their power was gone forever. The northerners realized equally well that the end of the Union was near if the southerners in their present temper

ever secured the control of affairs. Both sides were determined, and the struggle was a bitter one.

At last the northern sentiment triumphed, and President Fillmore signed the bill admitting California September 9, 1850. The long wished for tidings did not reach San Francisco until October 18. The excitement which followed its coming was intense. Business was suspended. Courts adjourned. The whole population congregated in Portsmouth Square to congratulate each other and to give vent to their delight in shouts and other demonstrations appropriate to such an occasion. Newspapers containing the news sold for $5 a copy.

California was at last a member of the Union and her seal, on which appeared the goddess Minerva, a grizzly bear, a miner washing gold, shipping on the Sacramento River, with the Sierras in the background, and the whole surrounded by a galaxy of thirty-one stars (the number of states after California's admission), with the word " Eureka " at the top, took its place among those of the other American commonwealths.

FRONT STREET, SACRAMENTO, IN 1850

(From an old print)

CHAPTER XXI

THE STRUGGLE FOR ORDER *

THE miners before the establishment of the state government had found the old Mexican system entirely inadequate to meet the needs of the situation, and they had been forced to take the administration of the law into their own hands. Their trials were rather informal, but they were conducted without delay, and punishment was immediate. There were no technicalities and no legal quibbles. The cases were all simple criminal matters and needed no complicated legal system to handle them. Instances of the infliction of the death penalty were extremely few. From such facts as are available, it seems that substantial justice was done in the great majority of the cases.

It had been hoped that the new government would do away with the necessity of these popular tribunals and would substitute for them a regular and orderly system of judicial procedure. In form it did so, but it gradually became known that the weakness of the new government was its inability to punish crime. This of course greatly

* The title of this chapter is taken from Josiah Royce's "California," as most accurately describing the subject.

emboldened the criminal element. So lax was the administration of the law that there were few crimes for which immunity could not be bought. A desperate character would kill a fellow-citizen to rob him of $2,000, one-half of which went to purchase his complete freedom from prosecution.

The effect of this laxity in the judicial system in the society then in California can be readily imagined. The profligate and vicious preyed upon the honest and industrious, and the latter were in constant jeopardy of being murdered for their money. The extension of the stage lines gave birth to a new industry, that of holding up and robbing the coaches. The express companies were the heaviest losers by this traffic and they were the most effective factor in eventually exterminating it. The whole situation was such as to drive the better people of the state to take the law into their own hands.

California had developed a mining law of her own. This was at first made by general agreement in each of the various camps. With the constant shifting of men from one camp to another there was a gradual approach to uniformity. Recorders were chosen in the larger camps to keep a systematic record of all transfers, and all disputes were settled by a public meeting. Thus each mining camp became a little republic. It kept order for itself and was even inclined to resent any interference from the outside. At first

a general camaraderie prevailed and theft was almost unknown, though the precious gold-dust was left in the miner's hut or tent in full view.

But with increasing numbers this happy condition was changed. Every town had its bully and its sharpers. Vice and its numerous agents increased with great rapidity. Robbers began to ply their trade. Bands of ruffians made systematic raids on convoys from the mines. These conditions made human life cheap. Theft began to be considered a greater crime than murder. While this was the true condition in California in the early days, it must be remembered that the picturesque descriptions of the camps, which are so frequently met with in "western" literature, are very highly colored. Violence leaves a deeper impression than peace, with the result that in this instance the world has been given a very exaggerated picture of the evils of the mining camps.

The punishments of the miners' tribunals were always swift and severe and at times cruel. Banishment was common in spite of the inherent evil in driving the guilty man to infest another camp or to make his living as an outlaw or a road-agent. But miners' law with its deliberate and orderly procedure and its careful safeguarding of the rights of the accused must be carefully distinguished from "lynch law," which is the expression of an unreasoning popular passion. There were no jails in California in those days, and the

only alternative was a summary punishment. The various communities are open to censure for this failure to provide proper jails. The men who made up their population were largely selfishly seeking to enrich themselves and then leave, instead of spending some portion of the all-prevalent wealth in the preserving and up-building of the social order.

The greatest evil in the whole system, however, was the injustice shown by miners' juries to foreigners and especially "greasers," as the miners had christened the Mexicans. There were many instances of Americans ejecting Mexicans and Spaniards from their claims and calmly appropriating them. The feeling prevailed that "foreigners" should not be allowed to participate in the newly discovered wealth.

The inexcusable incidents of this lawless method of enforcing law inevitably engendered a strong reaction. The growth of the country in numbers and of its citizens in moral strength brought about the improvement of the judicial system and the relinquishment to it of the duty of preserving order. This change took place slowly, however. The original establishment of the state government brought the semblance but not the substance of law, and the outlying communities were not only slow to turn over to its officials the preservation of order, but were quick to take it back into their own hands at the slightest failure

on the part of the duly constituted authorities. So the formation of the government was only the beginning of the struggle for order, and the real government was not firmly established until many years after.

The struggle was going on in all parts of the state, but its storm center was San Francisco. Here every element in the life of the California of those days was to be seen in its most intense form. But before describing the phases of the struggle in that city, it is necessary to recall the fact that the striking and unusual events in the history of any community, while they fill the greatest space in the narrative, do not always constitute the real daily life of the community.

All the better citizenship of San Francisco was absorbed in one idea — the making of money. Little if any attention was paid to the affairs of government, and no more than a passing remark was bestowed by the great majority of the citizens on the matter of the preservation of order. The conditions were ideal for the spread of crime. About the middle of 1849 a band of desperadoes organized under the name of " Regulators " for the purpose of more easily carrying out their criminal plans. They were called " Hounds " by the citizens upon whom they committed continual depredations under the flimsy pretext of being opposed to foreigners. But even these actions aroused no effectual opposition until their excesses

became such that there was no safety for anyone. Then widespread terror gave birth to the determination to exterminate its cause.

On Sunday, July 15, 1850, a cowardly attack by the Regulators on the Chileans aroused the better citizenship to action. They organized under the leadership of Sam Brannan. Their first act was to arrest twenty of the ringleaders of the rioters and try them. The principal one of these, Sam Roberts, was found guilty and imprisoned. This was the end of the Hounds for the action of the citizens had demonstrated that a determined effort could put down a disorderly gang of ruffians.

But the lesson was soon forgotten amidst the great excitement over new gold discoveries, and the universal absorption in the pursuit of the glittering dust. The great hordes of criminals who made their way in with the gold-seekers began again to reap a rich harvest. Even the courts of justice were apparently instruments in their hands. For all the murders committed at this time, not a man was hanged. The number is appalling. From 1849 to 1854 inclusive over 4,000 murders were committed in the state, 1,200 of which were in San Francisco. During this time there was but one legal conviction.

The robbery February 19, 1851, of a man named Jansen by two men who entered his store as customers again aroused the indignation of the

citizens to activity. The men supposed to be guilty were caught. For a few hours the mob spirit prevailed and an attempt at lynching was made. This failed, but in the evening, at the instance of William T. Coleman, the first steps toward the organization of a vigilance committee were taken. Criminals, instead of taking warning at these proceedings, became bolder. June 10, the "Committee of Vigilance of San Francisco" was formally organized.

The avowed object of the new organization was to bring criminals to justice — through the courts if possible — more summarily if not. Reputations, fortunes and lives were pledged in this cause and words were not minced in speaking of the corruption of the police and the laxity of those who "pretended" to administer justice. It was arranged that whenever it was necessary for the committee to meet, taps on the fire-bell should be the signal. The very night of its organization, the bell sounded and the members were summoned to their solemn duty.

A man named John Jenkins, an ex-convict from Sydney, had been caught burglarizing a store. He was taken to the rooms of the committee, tried, found guilty, sentenced, taken to Portsmouth Square and hanged within six hours after his crime was committed. The effect of this prompt if somewhat summary administration of justice was immediate and satisfactory. Many of the best

citizens of San Francisco expressed their approval by enrolling themselves as members of the committee.

This first Vigilance Committee executed four men in all and banished fifty more. Hundreds of undesirable characters left the city feeling that they were no longer welcome. The efforts of the committee also had a salutary effect in arousing the officers of the state to a more careful performance of their duties. Similar committees were organized in many of the interior towns. But there the need was not so great, and the distinction between vigilance committee and mob rule was often lost sight of. Many crimes were committed in the name of justice.

Reprehensible as were such actions, there was a broad distinction between them and the acts of the San Francisco Committee. This was a last resort in the efforts of a crime-ridden population to restore peace and quiet in their city. But even this was deplored by many respectable citizens. Officials, lawyers, and others who were bred to an innate respect for the forms of law, characterized it as mob violence. They even formed a counter organization known as the "Law and Order Party." This organization was headed by the southern aristocrats, who were successful in obtaining a condemnation of the Committee by the mayor and the grand jury. But the laboring

classes were unanimously on the side of the Committee and all efforts to put it down failed.

The last formal act of the First Vigilance Committee was performed June 30, 1852, but its members were ready to answer a call for months after that. Gradually, however, its vigilance relaxed and crime again began to show its head. This time the criminals showed an appreciation of their earlier experience and set about attaining their ends in a more circumspect manner. They attacked the purity of the ballot box as they thought it safer to steal under the cover of the law. An era of political corruption was inaugurated. Probably during this regime every scheme that was ever tried anywhere to corrupt ballot boxes was operated successfully in San Francisco. The lure of wealth held the attention of the great body of citizens and crime found a richer "strike" in plundering at home than in digging afield. Political conventions were a farce and public officials were almost openly working in connection with the criminal elements.

At last a man was found who had the courage to denounce these conditions. James King of William* began in the *Daily Bulletin* an ex-

* James King was born in Georgetown, D. C., January 28, 1822. When a young man he added "of William" to his name to distinguish himself from other James Kings living there at the time. William was his father's name and it was added in much the same way as "junior" or "senior" might be used.

posure of local corruption and to urge an uprising against it. His efforts, while generally approved, met with a widespread apathy. In spite of this King continued the fight and the criminals realized that in him they had a dangerous foe. May 14, 1856, King was shot down by James Casey, a member of the Board of Supervisors, whom King had exposed as an ex-convict and thoroughly disreputable character.

This attack upon King and his death from the wound six days later served to arouse the very spirit which he had long labored to bring to life. There followed an exhibition of popular indignation remarkable for its intensity and power. Ten thousand persons surrounded the jail in which Casey was confined, demanding justice against the murderer. It took three thousand armed guards to keep them at bay. Word was spread that the Vigilance Committee was being reorganized. William T. Coleman, who had been active in 1851, again took the lead and perfected a temporary organization. This new committee, 3,500 strong, all armed, went to the county jail and demanded Casey and Charles Cora who was also charged with murder. The sheriff would do nothing in the face of such a body, backed as they were by seven-eighths of the community. He delivered the prisoners and Casey and Cora were tried with all legal formalities. They were found guilty and sentenced to be hanged. The next

morning the permanent organization of the new Vigilance Committee commenced. Coleman was placed at its head with absolute control.

James King's remains were followed to their last rest by a column of men four abreast which extended for a mile along the city streets. The prophet and the martyr of civic reform was thus buried with all the honors which his fellow-citizens could bestow upon him. And while this sad procession did honor to the murdered man, Casey and Cora were hanged in front of the Vigilance Headquarters.

By July the Vigilance Committee had become an organized army of 6,000 men. The great body of the people of San Francisco heartily endorsed the movement. San Jose telegraphed an offer of 1,000 men for the Committee. In its ranks were to be found persons of all classes and creeds; laborers, merchants, and mechanics. Many of them were men of high standing who gave a higher tone to the acts of this Committee than that of 1851. The " Law and Order Party " were again in evidence and called for volunteers. A few lawyers and politicians responded. Governor Neely Johnson came under the influence of this clique and was prevailed upon to issue an order for the Committee to disband. No attention was paid to this order, however, and for several weeks the Committee was in full control. The ordinary business of the community, including

the courts, went on just as usual except that everything came under the supervision of the Committee.

Four men were hanged and twenty-five banished by this Committee, while over eight hundred deemed it wise to leave California. But the real work accomplished became apparent when in the autumn elections officials were elected who would carry on under the forms of law what the Committee had done without them. For years afterward San Francisco was a well-governed city.

During the time when it was necessary for the Committee to assume full control of all the activities of the city, it had maintained a strongly fortified headquarters which was called Fort Vigilance. It was nicknamed "Fort Gunnybags" from the character of the breastworks which were erected in front of the building and ran far out into the street. Cannon were mounted on the walls, sentinels paced up and down, and an alarm bell stood ready to summon at a moment's notice the full power of the Committee. Within fifteen minutes after three taps had been sounded upon this bell, over 4,000 men would be in place ready for any emergency.

The San Francisco Vigilance Committees represented anything but mob rule. They were simply the expression of the moral sense of the community rising above the forms of law which had been prostituted by corrupt men so that they not

only permitted but actually abetted crime. One of the members of the Committee of 1856, James D. Farrell, writes, " I went into that Committee with as earnest a sense of duty as I ever embarked in anything in my life. I went into it as a religious duty to society, although I knew I was going antagonistic to the law of my city and state. . . . We sunk individual self entirely; and our only object was to save the lives and property of the community." This serious expression undoubtedly embodies very much the sentiment of the great majority of the members of the Committee. They cheerfully met an expense of several hundred thousand dollars beside losing much more by the neglect of their own business which membership in the Committee necessitated.

The Vigilance Committees were a social necessity of their time. They were not a wrong in themselves so much as they were a confession of past sin on the part of the whole community. While hanging and banishing criminals was an invaluable part of their work, the most important result of their activities was the demonstration of the ability of the community soberly and justly to take in hand its great governmental problems and to solve them in such a way as to preserve the best interests of their city. When their work was done the Vigilantes dropped back into their places as plain American citizens, but they did not forget what they had been through and were

quick to see and eliminate any conditions which might lead the city back into the thraldom from which she had escaped.

Thus was the struggle for order in California carried on. Order triumphed by going outside the forms of law, for here the evil-doers instead of fighting the law, had gained control of its machinery. The Committees were not always infallible in their methods of handling the perplexing questions which came before them. In June of 1856, the second Committee was called upon to try David S. Terry, a judge of the Supreme Court of the state, for his part in an underworld brawl which had nearly resulted in the death of a man stabbed by him. The members of the Committee quailed at the thought of the possible consequence of condemning to death a man so high in the government of the state and made the recovery of his victim an excuse for his acquittal.

After the suppression of violence, corruption became the greatest public enemy. A continuous fight was made against criminal activity of this kind, but not always successfully. One Harry Meigs was the greatest exponent of this form of evil. By means of forged city warrants, he swindled the confiding citizens out of thousands of dollars. The exact amount was never known because many never presented their certificates. When his actions were discovered he escaped to Chile, where he died eminent and respectable.

In fighting corruption in its offices and legislative halls, California is not alone among her sister states. But in her great struggle to establish order in her communities her experience is unparalleled, because of the conditions which she had to face in 1850 and the following years. As the problems she had to solve were unique, so must her method of solving them be unique. It is to the lasting credit of the men of the mining days that they succeeded in bringing order out of the existing chaos.

CHAPTER XXII

THE CIVIL WAR

SINCE its admission to the Union in 1850, California had been Democratic except for one short period during which the American, or "Know-Nothing," party was in power. This consistent adherence to the Democracy was due to the large southern element in the population and the activity of its leaders. William Gwin and some others had come to the new state for the express purpose of furnishing it with statesmen, and the absorption of the great mass of the people in the business of money-getting had allowed them to exercise considerable sway over the affairs of the commonwealth.

The legislature of 1859 was strongly pro-slavery, and its members gave much support to the proposal to form an independent Pacific Republic. One of the representatives at the national capital went so far as to suggest the advisability of raising the Bear Flag and, by calling upon the nations of the world to recognize the independence of California, save the state from the wreck of the Union. But such talk did not represent the feeling of the majority of the people of the state. Union demonstrations were held every-

where and it was evident at least in the central and northern part, that the sentiment of its people was strongly in favor of the Union.

Failing in the scheme of a Pacific Republic, the chivalry seized upon the apparent favor shown their cause in the southern end of the state as an opportunity to retrieve their declining fortunes. The legislature, subservient to the pro-slavery interest, authorized an election in the six southern counties of the state on the question of whether they would withdraw from the commonwealth of California and form a new state of their own. They voted in favor of withdrawing, giving the proposal a large majority. Governor Latham urged the matter on, thinking that if he could accomplish the formation of a new slave state and thus restore the balance of power in the United States Senate there would be no limit to the heights to which he could aspire. But in spite of his efforts the matter could not be accomplished before the outbreak of the war. The first gun at Charleston was the signal at which all men must take an unequivocal stand on one side or the other of the great question. There was no longer a middle ground or opportunity for wavering. After that it would have been treason to take a further step to promote the secession of the southern counties, and the whole matter was soon forgotten in the rush of events.

In 1860 came the first great test. That year the

presidential campaign was a memorable one. It was vigorously, even fiercely fought. There was much bitter feeling on both sides, but the four votes of the state in the electoral college were given to Lincoln. Even more bitter was the local campaign of 1861. The war had begun and feeling was tense. But when the votes were counted it was found that California had declared in no uncertain terms for liberty and union. Governor Downey, who had half-heartedly espoused the Union cause, but urged compromise measures, was defeated. The machinery of government was taken from the hands of the southern chivalry and turned over to an anti-slavery legislature. Leland Stanford, a Republican, was elected governor by a majority of 23,000 votes. One of the first acts of the new legislature was to pass resolutions of loyalty to the Union, and to offer California's aid in its preservation.

There were few persons in California who had thought that the South would actually fight against the Federal government. But the news of the firing upon Fort Sumter, April 24, 1861, convinced everyone not only that it would fight but that it was already fighting. Military enthusiasm immediately became widespread. Both sides felt it. The prevailing sentiment of loyalty in the state had not to any appreciable extent diminished southern sympathy. When the news of war arrived one-third of the officers of the Sixth Cali-

fornia Regiment resigned to enter the Confederate ranks. When it became unpleasant openly to advocate the southern cause many of its sympathizers joined the "Knights of the Golden Circle," a secret society made up of pro-slavery men. Many Confederate newspapers were circulated, especially in the southern counties. But all open demonstrations were sternly suppressed.

While the Confederate ranks received their quota of California men, many more went East to join the northern armies. The first call for volunteers came in April, 1861, and the second in August of the same year. Five regiments of infantry and a regiment and a half of cavalry responded.

Great loyalist meetings were held in various cities. On May 11, 1861, all business was suspended in San Francisco and large crowds, wildly enthusiastic, attended the monster meetings and cheered for the Union. Southern sympathizers were closely watched and any attempts at agitation in favor of slavery were quickly checked. The enthusiasm of the loyal supporters of the Union was kept at a high pitch, due largely to the efforts of Thomas Starr King, a San Francisco clergyman. He spoke fearlessly against slavery and kept the Stars and Stripes floating above his church throughout the war.

The principal attempts at southern demonstrations were in the southern towns. This was due

not only to the fact that many immigrants from the southern states had settled there but because the native population was constantly fretting under what it considered the unjust burden of taxation which was levied upon it by a legislature which was so largely composed of men from the northern part of the state. The southern slavery agitators took every advantage of this sentiment to arouse the populace against the existing government.

Although the voice of the majority of the people of the state was loyal, the slavery men were in a strong position. The entire Federal patronage throughout the administration of President Buchanan had been in their hands. General Albert Sidney Johnston was in command of the Department of the Pacific and so had control of the government arms and ammunition. He and Edmund Randolph, a Virginian who was practising law in San Francisco, formulated a plan to issue a proclamation of neutrality with the ultimate purpose of taking California out of the Union. The authorities at Washington were informed of this plot and sent General Edward Sumner to succeed Johnston. The latter was not officially notified of the proposed change until Sumner presented his papers and demanded possession of the office. This was delivered without resistance and the scheme was defeated.

Johnston left at once to join the Confederates.

He took with him a company of one hundred men from Los Angeles. Winfield Scott Hancock was then in command at that point. Because of his southern connections it was thought that he might be won over to the cause of slavery and Johnston exerted his influence in that behalf. Hancock was not to be won over, and in a striking way demonstrated his loyalty. Because of the prevalence of Confederate sentiment it was deemed advisable to raise the Stars and Stripes over the Los Angeles court-house. The Confederates posted notices that whoever attempted it would be shot on the spot. Hancock did it. He was not shot.

About 16,000 men in all answered the Union's call upon California for troops. They formed eight regiments of infantry, two of cavalry, one battalion of native California cavalry, and one battalion of mountaineers. While these volunteers almost without exception did not take part in any of the battles of the Civil War, they performed a great service in protecting the state and thereby allowing the regular troops to take their place at the front. Their usefulness was shown when they promptly quelled a series of Indian outbreaks in the northern counties.

There were skirmishes in Arizona and New Mexico, where troops were sent to drive back the Confederates who had occupied these territories, and open the mail routes.

Many of the men from California who went East to enlist rose to high positions in the military councils of the nation and became important factors in the conduct of the war. Among these were William T. Sherman and Joseph Hooker, who came to be known as " Fighting Joe."

The breaking out of the war brought many changes to California. The cutting off of the southern mail route led directly to the completion of the telegraph to San Francisco in October, 1861. Congress passed the long hoped for Pacific railroad bill. The state became for the time being a Republican instead of a Democratic stronghold. While the sanguine expectations of some people that with the overthrow of the southern chivalry many of the venalities of previous legislatures would cease, were not fulfilled, still every act of the new party was intensely loyal.

At least, every act but one. California's medium of exchange consisted entirely of gold and silver. She had no banks of issue and was therefore unfamiliar with bank notes. Hard money she knew and liked. When the Federal government passed a law making its greenbacks legal tender for the payment of debts, California, with all her loyalty, could not go that far. The act worked a great injustice in the state enabling debtors to pay their debts in full with a currency which was depreciated to fifty and even as low as forty per cent of its face value. The result of

the agitation which ensued was the passage by the legislature of the so-called " specific contract act." This provided that a contract when drawn could specify the kind of money in which it should be paid and that this specification should be considered a part of the contract and could be specifically enforced. The act stood the test of the courts and was declared constitutional by the highest tribunals of both the state and the nation.

The unwavering manner in which the loyalists had handled the early situation in not allowing the southern sympathizers to secure a foothold in the state, had saved her citizens from the horrors of internal strife, not only of a warlike but even of a riotous nature. This enabled those already here to follow their peaceful occupations and the development of the state's resources went on unchecked. Thousands of immigrants flocked in from the troubled communities of the East to enjoy peace within its borders. These shared in digging from California's mountains and streams the precious gold which was to make the successful conclusion of the war a possibility.

Though California was accused of disloyalty because of her conduct in the " greenback " matter, that was the only point on which her patriotism could be called into question. No draft was ever necessary, for the number of her volunteers always far exceeded her quota. But of equal if not of greater importance to the Union were Cali-

fornia's contributions to the war funds. These contributions were of enormous amounts and were always in gold. It is not going too far to say, for it is an established fact, that had it not been for California gold the Union must have fallen. Both North and South were impoverished by the strain of the struggle and it was California gold that turned the tide.

When it became known that the ravages of disease were killing more Union soldiers than the bullets of the Confederates, a " sanitary commission " was organized in New England, which was speedily advocated and established through the Union. This commission accomplished tremendous good in saving the lives of Union soldiers. It was supported entirely by private contributions. California and Oregon together supplied over one-third of its expenses. Thomas Starr King, who had become recognized as one of the greatest of anti-slavery orators, took the lead in this cause and to him in large measure is due the credit for its splendid success.

California gave Lincoln 30,000 majority for his second term, and at the news of his assassination a wave of sorrow and indignation swept over the state. Some talked rashly of retribution and the offices of several newspapers which had been southern sympathizers were demolished. But the excitement was controlled by the calmer spirits before more serious damage was done.

California's share in saving the Union was altogether a large one. She held down avowed secession at home; she guarded her borders against invasion and put down Indian uprisings; she furnished more than her quota of troops; her war taxes were promptly paid; the loyal expressions of her legislature were a strong moral help. Rebellion was discouraged by a great majority of her people, and the dream of a Pacific Republic was nipped in the bud. But greatest of all she poured forth her golden flood into the coffers of the nation and made the continuance and successful conclusion of the war a financial possibility.

CHAPTER XXIII

THE PACIFIC RAILROAD — 1869

DURING all these years of the gold rush, the struggle for order within her own borders, and that other struggle, far away yet of greatest moment, California was separated from the rest of her sister states of the Union by the same inaccessible barriers which the early colonists of the forties and the gold-seekers of the fifties were forced to cross to reach their goal. The traveler and the immigrant must either cross the plains and the mountains, take the dangerous trip across the isthmus, or the long and perilous journey around Cape Horn. It took six weeks for news from the Atlantic Coast to reach San Francisco.

While the entire state was thus cut off from the rest of the Union, the various sections of the state were themselves more or less isolated from each other. In many regions the primitive means of communication of Mexican days, the mule-train and the oxcart, were still in use. Between some of the principal towns stage lines had been established, but the service was very irregular and unsatisfactory. About the old stage coach days, however, cluster many of the most romantic stories of California history.

The mail service was extremely irregular and it was one of the first cares of the United States government after California was admitted to the Union to establish a regular mail. But even after it was taken in hand by the Federal government, it was entirely inadequate for several years. This was due to the attempt on the part of those in charge to pursue the eastern policy of regulating expenditures by receipts. It was absolutely impossible to retain postmasters in the service in California during the gold days under these circumstances, and not until the attempt was abandoned in 1854 did the service become what it should be.

The first of the Pacific Mail Steamship Company's boats, the *California,* arrived at San Francisco February 28, 1849. On March 31 of the same year her sister ship, the *Oregon,* arrived, bringing as a passenger John W. Geary, California's first postmaster, and afterwards mayor of San Francisco. Geary brought with him the first United States mail for California. He was commissioned to establish local mail routes and to this task he immediately turned his attention.

The Pacific Mail continued to be the only official means of mail communication between California and the East until 1858. This line of steamers not only carried the mails but did excellent service in bringing immigrants to California from the Isthmus of Panama during the gold

rush. The first improvement in the mail service upon the Panama route was the establishment in 1851 of a private courier route across the mountains by the *California Star,* then one of San Francisco's leading papers. A few couriers had been sent even earlier than that, but it was not until 1851 that it became a regular monthly service. Mail was sent to Sacramento by boat and from there to Salt Lake City by express rider.

Telegraph lines came to assist in the dissemination of intelligence at an early date. The first line was inaugurated at San Francisco in 1853. It ran between the city and the entrance of the bay and was used for signalling the arrival of ships. With this start, the telegraph spread rapidly. Its advance was more consistent than that of the mails.

In 1859 the famous Pony Express was established. This was the conception of Alexander Majors. It was formed of relays of horses and riders, one of whom was William F. Cody, famous in our day as " Buffalo Bill." Indian ponies were used and the posts were about twenty-five miles apart. Each rider covered from one hundred to one hundred and fifty miles. At his destination he delivered the sack to the next man who carried it on without a moment's delay. The horses were kept at a dead run and the distance from Atchison to Sacramento, two thousand miles, was often covered in eight days. The record run was made

with the news of Lincoln's inaugural in five days and eighteen hours. Letters and newspapers to be delivered by Pony Express were required to be written and printed upon tissue paper, and the rate was five dollars an ounce. Even at this the enterprise did not pay and was given up. One thing that it did do, however, was to demonstrate the feasibility of a railroad route through the Sierras and the Rockies.

Such a railroad had been suggested as far back as 1832. By 1838 the idea was no longer a novelty, but ways and means for construction and operation were freely discussed. Asa Whitney first brought the matter to the attention of Congress in 1845. No action was taken upon it at that time, but Whitney's work in educating the people of the country to see the possibility, feasibility, and necessity of a Pacific railroad was invaluable. Various explorers, of whom Fremont is the best known, had found passes through the mountains, and the gold hunters of 1849-50 had made practically all of them known. In 1853 three routes were actually surveyed. At first the one farthest north was generally favored. This would have opened up the Oregon country but by the time action was taken the influx of population to the California gold fields had established the preeminence of San Francisco, and the direct route to that city was the only one considered.

Before this condition was reached, however,

there were long and bitter discussions over the question of route. Like everything else in those days the railroad became entangled in the slavery struggle. The northerners wanted a northern route and the southerners were determined to have a southern route. Again, as soon as the project became clearly defined, local interests began reaching for local benefits on the question of route.

In 1857 the outlook had been favorable for action. President Buchanan had expressed his strong advocacy. But again the slavery question overshadowed the railroad and no action was taken. In 1860 both political parties inserted planks in their platforms declaring in favor of the immediate construction of the Pacific railroad. Various subsidy bills were introduced in Congress but none passed. This time the war itself intervened. While it halted the railroad project for a short time, it insured the passage of the necessary legislation in the near future, for it crystallized the already existing sentiment that it was absolutely necessary to connect California with the other states of the Union by rail. This feeling was strong in the East and it certainly played a large part in keeping California in the Union. All of her people knew how necessary the railroad was for her development, and if the Union was destroyed what was to become of the railroad?

In September, 1859, a great railroad convention

was held in San Francisco. Delegates attended from every county in California, and from Oregon and Washington. A resolution favoring the central route as the most feasible was adopted. Theodore D. Judah was the chief promoter of this meeting, and to him is due the greatest share of the credit for finally accomplishing the great project. He was a young engineer who believed firmly in the practicability of the transcontinental railroad scheme and devoted his life to making it a reality.

In the spring of 1861 he called a meeting at Sacramento for the further consideration of the matter. This meeting was not large but there were four men there who became deeply interested in Judah's plans. These men were Leland Stanford, Collis P. Huntington, Mark Hopkins, and Charles Crocker. On the 28th of June the Central Pacific Railroad Company was organized with Stanford as president.

Neither Stanford nor his associates were rich men but all were strong characters. Stanford was a leader in the Republican party which was just then coming to the front in California. His position as governor later on was a great help. In his earlier years he had practised law in Wisconsin and had some practical knowledge of railroad building. Huntington was a shrewd, strong, active business man. To him was entrusted the management of the finances of the Company.

Crocker was a merchant of Sacramento. He was a tremendous worker and a splendid manager of men. Hopkins' traits were less marked than those of his associates, but he seems to have been the embodiment of a sound common sense which commanded their admiration.

In October, Judah left for Washington to work for the passage of a railroad subsidy bill. Conditions were far from being ideal for such a project from a financial point of view, but were in the best possible shape from a political and military standpoint. Judah met Aaron A. Sargent, the newly elected member of Congress from California, on the way east and made him an ardent supporter of the railroad cause. Together they moulded the bill into much the form in which it finally passed and received the executive approval. Judah's work in securing the passage of this bill was of incalculable benefit. A year later he set out for Washington again to ask further aid. He was stricken with fever and died in New York. His loss was a severe one to his fellow-workers, although he was ably succeeded in his work at the national capital by Huntington.

The law which was passed through the efforts of Judah, Huntington and Sargent in July, 1862, authorized the Union Pacific Railway Company. Its capital stock was fixed at $100,000,000 and was divided into shares having a par value of $1,000 each, with a provision that no one per-

son was to hold more than 200 shares. In return for the benefits which the country was to receive from the road, it was given five alternate sections of land per mile on each side of the right of way, which was 200 feet wide. No mineral lands were included in this grant, and all of the lands so granted were to be sold within three years after the completion of the road. The railroad itself was to be completed within twelve years from some point on the Missouri River to connect at or near the California boundary with a road to be constructed by the Central Pacific Company. This Company was chartered by the state of California to build a railroad from Sacramento eastward to the Nevada line. In addition to the land grants there were issued thirty-year United States government bonds at six per cent to the amount of $16,000 for each mile of the road. Certain portions of the road where it was to cross the mountains were to have an even larger subsidy. The total amount of bonds issued for this purpose was $50,000,000.

By an act passed two years later, additional benefits were received. A mode of procedure for the condemnation of private property was established. The par value of the shares was reduced from $1,000 to $100 each. The number of government appointed directors on the board was increased and the time for completion was extended

one year. But better than all else for the promoters, the land grant was doubled.

The advisability of this enormous government subsidy has been upheld on various grounds. The road was a political necessity; it was a military necessity; it would put a stop to Indian wars; it would furnish a comparatively inexpensive means of transportation for troops, mails and supplies; and most important of all, it would open up the great West. That the plan was right fundamentally will probably be conceded even today, but that in the laxity of its details it opened up immense opportunities for robbery is evidenced by the nefarious workings of the Credit Mobilier. This was one of the greatest scandals in the political life of the United States but the story of sordid dishonesty does not belong to California history. Suffice it to say that the men who were called upon to spend the vast sums secured through government aid, in the construction of the Union Pacific railroad, coveted these moneys and formed among their own number the Credit Mobilier, a construction company, by means of which they could pay these millions of dollars to themselves with nobody's approval but their own. When this attempt at legalized piracy came to light, the names of many of the country's most prominent men were dragged in the dust, many theretofore clean characters were besmirched and even some lives had to pay the toll of shame.

When the actual construction of the railroad was finally commenced there soon developed a race such as had never been seen before. Tremendous powers struggled for the prize. The Union Pacific wanted to build its road as far west as possible and the Central Pacific was equally desirous to lay its rails as far to the eastward as possible before the two should meet. The strategy was obvious. The greater the mileage the greater the share in the freight rates. In each case some conditions favored and some greatly hampered the contestants. The Central Pacific had to have its machinery and supplies sent around Cape Horn but had cheap Chinese labor. The Union Pacific must drag its materials overland or depend upon Missouri River boats. Both roads were being built through a new and uninhabited country, most of it a desert where both food and water were scarce. Machine shops had to be established as the construction progressed. The Central Pacific had plenty of timber but its right of way required much clearing and grading. The Union Pacific had for the most part to traverse a flat country where little grading was required but had no timber on the ground.

The rivalry increased as the ends of the advancing lines approached each other. Thousands of Chinese were imported for the Central Pacific; Irish and European immigrants were rushed to the work on the Union. At one time about 25,000

men were engaged in construction work. At the close of the war many soldiers joined the workers on the Union Pacific. This helped the builders to establish a sort of military discipline which made for greater efficiency. Many of the gangs could go through a full drill. This feature was especially appreciated in repelling Indian attacks. The construction work on the Central was in charge of Crocker, who had his 10,000 Chinese almost as thoroughly trained. In the spring of 1869, when the rivalry had become intense, he established a world's record by laying ten miles of track in one day.

This intense rivalry led to much waste labor. Each road had its graders far ahead of its track gangs and when the tracks finally met a way was graded for each road several miles beyond the junction point. But this was a small consideration when on April 28, 1869, the ends of the tracks of the two roads were joined at Promontory, Nevada. An immense crowd gathered in the desert to watch the ceremonies accompanying this notable event. Brass bands and locomotive whistles made a din which awoke new echoes from the desert silences. Arizona presented a spike of gold, silver, and iron. Nevada presented one of silver. The last spike was of California gold and was driven into a tie of California laurel. As Leland Stanford swung the sledge on this golden spike, each stroke was sounded by telegraph on the bell

of the City Hall in San Francisco. The news was also signalled to all the other large cities of the country. The rails joined, first one train pulled across the junction and back, and then one from the other road did likewise. The great Pacific railroad, the dream of Whitney and Judah, was a reality.

Enthusiasm was widespread, for the importance of the event was felt in the East no less than in the West. Bells were swung. Buildings and ships were decorated. In Omaha one hundred guns were fired from Capitol Hill. Great public demonstrations were held in all the large eastern cities. But while the excitement was great in the East, it was nothing there compared to what it was in California. Here the people fairly went wild. They were at last a real part of the United States. Their railroad was in actual operation. The Atlantic seaboard, instead of being three or four weeks away, was but little more than a week. And none realized better than they that while the Atlantic seaboard was but a week's journey from California, that also meant that California was but a week's journey from the Atlantic seaboard.

While the construction of the great transcontinental road was progressing, several small roads had been built in California. The first of these was from Sacramento to Folsom, a distance of twenty-two miles. It was known as the Sacramento Valley Railroad and was opened on Feb-

ruary 22, 1856. The San Francisco and San Jose was opened between those two cities in January of 1864. These local lines were never of any great importance until they were absorbed by and became parts of the great system which was to cover the state.

In 1865 the Southern Pacific Railway Company was incorporated to construct a road from San Francisco south to Los Angeles and San Diego, and thence easterly to the state line, there to connect with the Atlantic and Pacific which was building westward from Springfield, Missouri, by way of Albuquerque, New Mexico. In the latter seventies the Southern Pacific completed its road from Los Angeles to Yuma, Arizona. But in the meantime the Atlantic and Pacific had been absorbed by the Atchison, Topeka, and Santa Fe, which was trying to continue its own road through to Los Angeles. This move was bitterly opposed by the Southern Pacific but it was finally accomplished in 1883.

The next year, 1884, the Southern Pacific Company was incorporated under the laws of Kentucky, and this company took over the holdings of both the Central Pacific Company and Southern Pacific Railway Company. It also rapidly absorbed all of the connecting lines, including finally the Union Pacific itself. Since that time it has been the dominating system in California and the other western states. Its only rivals are

the "Santa Fe," and the Western Pacific which reached San Francisco in 1911. The decision of the United States Supreme Court rendered in December, 1912, ordering the dissolution of the Southern Pacific-Union Pacific merger, is too recent for its effect to be even surmised.

From its very inception the company building and owning the Central Pacific Railroad had been under the ban of public distrust. Hardly a railroad in California but received more encouragement at home than the old Central Pacific. In the early days its directors were bitterly assailed through fear on the part of the people that they would be unable to complete their task and in the failure would shut off other and wealthier companies from the benefit of government aid. As the work progressed to a successful conclusion this feeling, of course, disappeared.

The political influence of the railroad was not at first a matter of public concern. At that time the desire for the road excluded any protest against other matters so long as the road itself was built. Leland Stanford, while he was president of the railroad company, was elected governor of the state and no one questioned the propriety of the situation. While in that high office he gave the executive approval to no less than seven bills favoring the railroad. Even this does not seem to have awakened much antagonism. But when, by clever manipulation, Stanford

was elected to the United States Senate, the feeling became widespread that the railroad was taking altogether too active a part in the politics of the state. At the same time was commenced the agitation in California for the election of United States Senators by the direct vote of the people.

Throughout its history the men at the head of the railroad have seemed to be favored by Fortune at every turn, but it must also be said that they have been ever alert to see that she was not under the necessity of proffering her favors more than once. On the other hand, however, they have been hampered by much vexatious litigation. This has been instigated both by private parties and by public officials. It is overzealousness on the part of the latter and possibly a desire to make political capital out of their actions, that has given the railroad the only excuse it can have for being in politics, that it is necessary to its self-preservation. How much foundation there is for this excuse the future history of the state must tell.

CHAPTER XXIV

THE CHINESE

LIKE every other nation in the world, the Chinese Empire was represented in the great rush for California which took place during the gold excitement. At the beginning of the year 1849 there were in the state only fifty-four Chinamen. At the news of the gold discovery a steady immigration commenced which continued until 1876, at which time the Chinese in the United States numbered 151,000 of whom 116,000 were in the state of California. This increase in their numbers, rapid even in comparison with the general increase in population, was largely due to the fact that previous to the year 1869 China was nearer to the shores of California than was the eastern portion of the United States. Another circumstance which contributed to the heavy influx of Chinese was the fact that the news of the gold discovery found southeastern China in poverty and ruin caused by the Taiping rebellion. Masters of vessels made the most of this coincidence of favorable circumstances. They distributed in all the Chinese ports, placards, maps and pamphlets with highly colored accounts of the golden hills of California. The fever spread among the

yellow men as it did among others, and the shipmen reaped a harvest from passage money.

Probably the most conspicuous characteristic of the Chinese is their passion for work. The Chinaman seemingly must work. If he cannot secure work at a high wage he will take it at a low wage, but he is a good bargainer for his labor and only needs the opportunity to ask for more pay. This is true of the whole nation, from the lowest to the highest. They lack inventiveness and initiative but have an enormous capacity for imitation. With proper instruction their industrial adaptability is very great. They learn what they are shown with almost incredible facility, and soon become adept.

If the social conditions prevailing in California in the days of '49 are recalled, it is not difficult to realize how welcome were the Chinese who first came to the country. Here were men who would do the drudgery of life at a reasonable wage when every other man had but one idea — to work at the mines for gold. Here were cooks, laundrymen, and servants ready and willing. Just what early California civilization most wanted these men could and would supply.

The result was that the Chinaman was welcomed; he was considered quite indispensable. He was in demand as a laborer, as a carpenter, as a cook; the restaurants which he established were well patronized; his agricultural endeavors

in draining and tilling the rich tule lands were praised. Governor McDougal referred to him as " one of the most worthy of our newly adopted citizens." In public functions he was given a place of honor, for the Californians of those days appreciated the touch of color which he gave to the life of the country. The Chinese took a prominent part in the parades in celebration of the admission of the state to the Union. The *Alta California,* a San Francisco newspaper, went so far as to say, " The China Boys will yet vote at the same polls, study at the same schools, and bow at the same altar as our countrymen." Their cleanliness, unobtrusiveness and industry were everywhere praised.

The Chinese were surely in a land of milk and honey. They had left a land of war and starvation where work could not be had and food must be begged and here they found themselves in the midst of work and plenty. They were everywhere welcomed and their wages were such that they could save a substantial part to send back to the families they had left at home in China; or, if they did not wish to labor for masters, they could go to the mines. Here they could take an old claim which had been abandoned by the white miner and dig from it gold dust which to them represented wealth untold. They were careful not to antagonise these whites by prospecting ahead of them, and in return they received the

same treatment in the mining districts that they had met with in San Francisco.

The Chinaman was welcomed as long as the surface gold was plentiful enough to make rich all who came. But that happy situation was not long to continue. Thousands of Americans came flocking in to the mines. Rich surface claims soon became exhausted. These newcomers did not find it so easy as their predecessors had done to amass large fortunes in a few days. California did not fulfil the promise of the golden tales that had been told of her. These gold-seekers were disappointed. In the bitterness of their disappointment they turned upon the men of other races who were working side by side with them and accused them of stealing their wealth. They boldly asserted that California's gold belonged to them. The cry of " California for the Americans " was raised and taken up on all sides.

Within a short time the Frenchman, the Mexican and the Chileño had been driven out and the full force of this anti-foreign persecution fell upon the unfortunate Chinaman. From the beginning, though well received, the Chinese had been a race apart. Their peculiar dress and pigtail marked them off from the rest of the population. Their camps at the mines were always apart from the main camps of white miners. This made it the easier to turn upon them this hatred of outsiders. With the great inrush of gold-seekers the aban-

doned claims which the Chinese had been working, again became desirable to the whites and the Chinese were driven from them with small concern. Where might made right the peaceable Chinaman had little chance.

The state legislature was wholly in sympathy with the anti-foreign movement, and as early as 1850 passed the Foreign Miners License law. This imposed a tax of twenty dollars a month on all foreign miners. Instead of bringing into the state treasury the revenue promised by its framers, this law had the effect of depopulating some camps and of seriously injuring all of them. San Francisco became overrun with penniless foreigners and their care became a serious problem. The law was conceded to be a failure and was repealed the following year.

By the time this was done, however, the Chinese had become the most conspicuous body of foreigners in the country and therefore had to bear the brunt of the attacks upon the foreign element. Governor Bigler suddenly became inspired with the realization of the value of an attack upon them as a political asset. He sent a special message to the legislature in which he charged them with being contract " coolie " laborers, avaricious, ignorant of moral obligations, incapable of being assimilated, and dangerous to the public welfare. The result was a renewal of the foreign miners' tax, but in a milder form than its predecessor.

This did not satisfy the miners, who were at that time the strongest body in the community, and the next year the tax was again made prohibitive.

But it was not only the miners who hated the Chinese. The yield of the placers began to decline in 1853-4, and the discovery of gold in Australia brought on a financial panic in the latter year. Prices, rents and values fell rapidly and many business houses failed. There were strikes for higher wages among laborers and mechanics though the prevalent rate for skilled labor was ten dollars per day and for unskilled three dollars and a half. Investors became alarmed and withdrew their capital. Thousands of unsuccessful miners drifted back into San Francisco and began to look for work at their old time occupations. The labor market was glutted and an enormous number were out of work.

To these unemployed men the presence of thousands of Chinese, thrifty, industrious, cheap, and above all, un-American, was obviously the cause of their plight. The cry was raised that the large number of Chinese in the country tended to injure the interests of the working classes and to degrade labor. It was claimed that they deprived white men of positions by taking lower wages and that they sent their savings back to China; that thus they were human leeches sucking the very life-blood of this country. Whoever

came to their defense was immediately accused of having mercenary motives or of being half-witted.

The " coolie " fiction of Governor Bigler was seized upon. In the first half of the nineteenth century a pseudo-slave trade had sprung up in transporting Chinese laborers under contract to work at a certain wage for a certain period to Cuba, and parts of South America. Such laborers were ignorantly called " coolies " by those who were not familiar with the Chinese language. The word itself comes from two Chinese words, " koo " meaning to rent, and " lee " meaning muscle. The coolies are those who rent out their muscles, that is, unskilled laborers. In the four classes of China they rank with the third, being considered a higher class than the merchants but below the scholars and farmers. The word in no way signifies any sort of bondage. The " coolies " are perfectly free just as our own laborers are.

The Chinese who came to California were largely of this class and so described themselves on their arrival. It did not take long for the anti-Chinese agitators to define a " coolie " as a contract laborer and to describe how he was bound to a master in China to work a certain number of years at a small wage and how this terrible system was eating the very vitals out of American labor. This American labor about which there was so much concern was almost

wholly composed of Irish and other European aliens who were no more American than the Chinese. But they had a vote in prospect. The Chinese did not.

While the success of the coolie fiction was largely due to the fact that there were so many who wanted to believe it, a number of circumstances combined to give it greater vitality. Most of the business transactions of the Chinese were done through their benevolent organizations which came to be locally known as the " Six Companies." The Companies often contracted for large bodies of laborers and this fact led the unthinking to conclude that these laborers were under contract with the Six Companies to work for them as they should direct. This was not the true situation. These Companies simply acted as clearing-houses for all sorts of transactions among the Chinese, as they had found that they could handle things in a strange land more satisfactorily through such associations than they could individually.

Another thing which strengthened the coolie fiction was the manner in which the Chinese were employed on the construction work of the Central Pacific Railroad. Because of the scarcity of labor the men in charge of this construction work had sent an agent to China to secure Chinese laborers. In order to get these men over to this country, it was necessary to advance their passage-money and other expenses. To cover this loan each

Chinaman so employed signed a promissory note for $75. This note provided for monthly instalment payments running over a period of seven months and was endorsed by friends in China. Each laborer was guaranteed a wage of $35 a month. This financial arrangement was of course seized upon and made much of by the anti-Chinese agitators as the final proof of "coolieism."

The belief that the Chinese were contract laborers was one of those unfortunate errors which sometimes become current in our civic life, and by frequent repetition receive almost universal acceptance. In the present instance this phantom of Chinese slavery became so thoroughly a part of the political life of the Pacific Coast that no attempt was made to reach the truth of the matter. Every man in public life was under so binding a necessity to accept the popular belief in regard to the Chinese and to truckle to it at every turn, that for one to seek the real truth of the matter was to end forthwith his political career.

In the years following 1854 this unthinking, prejudiced, anti-Chinese movement ran riot. Various schemes were proposed for ridding the country of the Chinese as if they were a pest. It was seriously suggested that they be all returned to China, but as this would have involved an expense of about seven millions of dollars and ten or a dozen ships for every vessel that was available, it was reluctantly laid aside. This scheme

failing, it was asserted that they could at least be driven from the mines. But as this would have deprived the state of a large revenue from licenses and would have crowded the outcasts in still greater numbers to the cities and agricultural districts, this too was abandoned.

Various local authorities passed legislation intended to harass them. Most of the Chinese were in San Francisco, so the principal efforts were made in that city. The famous "pig-tail ordinance" required all convicted male prisoners to have their hair cut within one inch of their heads. This particular piece of idiocy was vetoed by the mayor but others almost as vicious were passed. Many of these were declared unconstitutional by the courts, but even the courts were not at all times consistent friends of the Chinaman. The worst blow which they received was embodied in a decision given by the Chief Justice of the state Supreme Court. There was a statute on the books which prohibited "negroes and Indians" from testifying against a white man in the courts of the state. The court held, in a brilliantly logical opinion, that this included the Chinese for the reason that in the days of Columbus all of the countries washed by Chinese waters had been called "Indian."

During the Civil War other issues overshadowed the Chinese question and the Orientals had a brief respite. But in 1868 the Burlingame

treaty was entered into between the United States and China. It provided for reciprocal exemption from persecution on account of religious belief, the privilege of schools and colleges, and in fact it agreed that every Chinese citizen in the United States should have every privilege which was expected by the American citizen in China. Though naturalization was especially excepted, the provisions of this treaty aroused a storm of antagonism on the Pacific Coast. The labor agitators decried the treaty as a betrayal of the American workingman, and the whole Chinese question was up again in more violent form than ever before.

The panic of 1873 and its ill effects brought the matter sharply before the public and especially that portion of it that was out of work. The crisis was averted for the time, however, by the opening of the Consolidated Virginia mines in Nevada and the local wave of prosperity which followed. But in 1877 the bottom fell out of the whole western business world and brought back the old agitation with tenfold violence. It was made worse by the always apparent fact that the Chinese were the last to join the unemployed. In fact they seldom joined at all. Gardening, farming, laundering, cooking and housework were almost monopolized by them. The railroads employed thousands of them and they were engaged to some extent in manufacturing.

This was more than could be borne by the

much-oppressed laboring man, who claimed that the Chinese were robbing him of his bread and, which was worse, the only one who benefited by their labor was that other arch-enemy of the laboring man, the capitalist. Something must be done. The courts had annulled the efforts of their municipal authorities and legislatures when these had tried to help them; Congress had thrown them but a stone; the treaty-making power had betrayed them; they must take matters into their own hands. And this they proceeded to do. Their method of procedure was in most cases to sack and burn the Chinese laundries and other commercial establishments operated by the Orientals. It was left for Los Angeles to furnish the most terrible example of all. Here nineteen Chinamen were hanged and shot in one evening. The massacre was accompanied by the theft of over $40,000 worth of their goods.

It was in the south in fact that the violent opposition to the Chinese had first found strong supporters. Here were many who were accustomed to assert the "superiority" of their race and to attach the idea of servitude to all inferior races. To work at all was well-nigh intolerable, but to work beside a "pig-tail" upon whose wearer even the wild Indian looked down, was too abasing to be borne. From these southerners this feeling rapidly spread among the immigrants from the poorer countries of Europe, who at home

were in a position almost of servitude. Arrived in this country and endowed with the rights of citizenship, for which they are utterly unfitted, they immediately seek to raise themselves higher in their own estimation by trampling underfoot the rights of others.

But, beside these prejudices due to race-feeling and ignorance, there were real causes of discontent against the Chinese. They were not given to sexual immorality themselves but some of them engaged in the business of importing women whom they would prostitute to others for gain. Gambling was an all-prevalent vice. These two features of the Chinese situation received far more emphasis even among thoughtful people than should have been given to them. This came about because of the practice of "seeing Chinatown," which like "seeing the world" too often meant seeing the worst possible side of it. The proportion of prostitutes among the Chinese was little if any higher than among the other races in California at the time, but much publicity spread the idea of great numbers. Gambling, too, while very generally indulged in by the Chinese, was never among themselves the vice which was made of it by the Americans who frequented the Chinese houses. The Chinaman gambled for small stakes as an amusement and never to his own destruction. But while gambling and immorality have been over-emphasized, one charge remains against them

in all its original strength. The Chinese quarter was very unclean. Their cleanly persons and spotless linen were in strange contrast to their filthy homes, overrun as they were with rats and other vermin.

Evil as were these characteristics of the Chinese, they were never a sufficient excuse for the outrages that were perpetrated upon them. These bore no relation to the real grievances, but were in a large measure the unreasoning acts of irresponsible men who were for the most part aliens themselves. Calmly handled, the Chinese question never would have caused a disturbance in California. In connection with a violent race-hatred, it kept the state in turmoil for the first thirty years of its existence. Even today it occasionally recurs to furnish capital for politicians who are unable to find any other issue. Of late years, however, it has been very largely superseded in this rôle by the Japanese question.

CHAPTER XXV

KEARNEY AND KEARNEYISM

THE commercial depression which began in the eastern states in 1873, was most severely felt in California in 1876. Its effect was aggravated here by an accompanying tremendous fall in the value of mining stocks. Everybody in California, from the richest to the poorest, speculated in mining stocks. All the savings of a great majority of the people went into this form of gambling. With the crash which brought the prices of all stocks tumbling down to nothing, came financial straits for many thousands of families. This was true not only of the poorer classes but even in the middle class the pinch of want was felt. Work was very scarce and the great number of the unemployed were not only in dire straits themselves but their presence served to lower wages for those who were at work.

While the large majority of the people of the state were in the grip of this commercial depression there were a number of men in San Francisco who either in mining or railroad building had amassed enormous fortunes. These millionaires boasted their luxury and elegance and the newspapers were filled with stories of their ex-

travagances. The unemployed workingmen of San Francisco, whose numbers were daily augmented by disappointed and penniless miners returning from the mines, contemplated from their hovels of starvation the gaudy palaces which had been erected by these men who, a few years before, had been no better off than themselves.

The hatred of the unemployed for these sons of fortune was increased tenfold by the fact that Chinese were very generally employed by them as servants and laborers. The masses of the proletariat, made up largely of foreigners of little intelligence, saw in this situation convincing evidence of a conspiracy to deprive them of work and to starve them to death. To them the commercial depression, the financial panic, the changed labor situation, meant nothing. All they could comprehend was that one man had more than he could possibly need while another went hungry. They turned to the lawmakers, but there came no relief from that direction. Neither political party gave promise of substantial improvement of their condition.

In this sorry state the homeless thousands of California decided that they must take matters into their own hands and do something themselves to better conditions. The time was ripe for a demagogue and none of the kind ever had a place more splendidly prepared for him. Nature abhors a vacuum in politics as in physics and the

place was promptly filled. There were many agitators to stir up the crowds but the prince of them all was Denis Kearney.

Kearney had been at one time a sailor but at the time of his elevation to the leadership of the unemployed was a drayman. He was an Irishman and had some of the native eloquence which is characteristic of that race. This he had developed by a course of training at a Sunday debating club called the "Lyceum of Self-Culture." He had been of good reputation until he lost his savings in stock speculation, when he turned to political agitation. He became a demagogue of a common type, blatant and confident, but without political ability or constructive talent.

The Kearney agitation reached its height in 1877. Meetings of trade union men were called to express sympathy with the strikers of Pennsylvania. At that time there were in San Francisco twenty-five unions comprising 3,500 men. Large numbers of these attended the meetings which were held on the vacant sand lots near the city hall. These men had real grievances which were enlarged upon with much oratorical skill by the speakers who fanned the flames of discontent. The excitement increased until the language of the demagogues became so violent that the business men formed a committee of safety. This new "vigilance committee," which like its predecessors was under the leadership of the redoubt-

able Coleman, was known as the "Pick-handle Brigade" from the weapons which it chose as the most effective for overcoming the efforts of the sandlotters. They rendered good service in preventing the burning of residences on Nob Hill and the destruction of the wharves of the Pacific Steamship Company, two outrages attempted by the rioters.

Denis Kearney forced himself to the front and aired his oratorical abilities at these sand-lot meetings. His earnestness caught the crowd and he soon became a popular idol. As he began to feel his power he became more and more violent. He urged every workingman to add a musket to his equipment and suggested that a little judicious hanging of capitalists would be in order. But his loud mouthings were confined to generalities and he never countenanced any specific act of violence. Vituperation was his forte, not accomplishment.

The audiences which at first cheered his efforts were largely composed of vagabonds. But the *San Francisco Chronicle,* seeing an opportunity to increase its circulation and influence, began to print sensational reports of the sand-lot meetings and took up Kearney's cause. Not to be outdone by its rival, the *Call,* the other large San Francisco paper, hastened to follow the *Chronicle's* example. So Kearney suddenly found himself substantially backed by the influential press

of the city. The attendance at the sand-lot meetings increased. Ward clubs were formed. Orators drew rosy pictures of the splendid condition of the workingman that was to be in the near future. The infection spread. Ignorant loafers revelled in visions of themselves enjoying all the comforts of the millionaires and some other refinements which their own taste demanded.

Kearney continued to lead this agitation and finally succeeded in raising sufficient commotion to get himself arrested and thrown into jail. He was then a "glorious martyr" and the thought of being of enough importance to be kept under guard filled him with joy. But he denied many of his preachings when brought to trial and retracted others. He was acquitted and freed. The incident greatly increased his following. On Thanksgiving day over 7,000 men marched to the sand lot in a grand parade in his honor. The day's proceedings closed with a resolution to wind up the national banks and the crowd dispersed.

The immediate result of Kearney's agitation was the formation of the Workingmen's Party of California. J. G. Day was elected president and Kearney secretary. The infant party had been in existence but a week when it was divided into hostile factions. A reorganization took place and Kearney was later elected its president, while Day was relegated to the office of vice-president. Like

all other political parties this one began to pass resolutions and to make platforms.

Its demands were numerous. The first was that all workingmen unite against the encroachments of capital. They would then wrest the government from the control of the rich and place it in the hands of the people. They would rid the country of the Chinese because their presence tended to degrade labor and aggrandize capital. They would destroy land monopoly. They would destroy great riches by taxing them out of existence. They would elect none but competent workingmen and their friends to any office whatever, because "our shoddy aristocrats want an emperor and a standing army to shoot down the people." The new party would encourage no riot to attain their ends, but if riot was started they would not volunteer to repress it. Let those who had made it necessary suppress it themselves.

These are fair samples of the numerous demands made by the Workingmen's Party. The same theme of oppression by the rich and salvation by the exaltation of the poor was played upon with all the variations possible in the speech of ignorant demagogues. In all that they or the new party did there was nothing substantial or constructive, but it all served to keep Kearney and his confreres on the pinnacle of popularity.

His fervor again brought him under the care of the city authorities. But incarceration helped

more than it hurt him. He was again released and received as a hero by his followers. He was crowned with flowers. His influence spread rapidly wherever there was a sufficient number of the unemployed to form a meeting. These groups were formed into clubs of the Workingmen's Party. Kearney, encouraged by this outside support, started out to stump the state for the purpose of making converts. His expenses were paid by collections taken up at the sand-lot meetings. In the towns large numbers flocked to hear him but he met with scant encouragement from the farmers. The discontented everywhere joined the new party. Newspapers gave the movement force. Anti-Chinese sentiment, carefully played upon, augmented it. The Republicans, noting that its members were drawn largely from the ranks of the Democratic party, covertly encouraged the movement.

On his return to San Francisco, Kearney became intoxicated with his power and assumed the air of a potentate. He became wilder than ever and his violent threats of terrorism and dynamiting resulted in his frequent arrest. The political power of the Workingmen's Party began to be felt. With the coming of this actual power in the state, however, came the seeds of discord which led to Kearney's downfall. Accusations were spread abroad that he had been bribed in the interests of the railroad and the banks. He

was also charged with misappropriating the funds of his party. There was probably no foundation for these charges but they were enough to break Kearney's hold on the people. He was deposed from his office of president. His popularity rapidly declined. The crowds tired of his empty harangues, and the lack of definite results.

In 1878 Kearney went East to take part in the labor troubles in that end of the country. He felt that there his aid would be appreciated. But such was not the case. He met with no success and after three years of effort returned to California where he was considered as a spent rocket. His popularity was gone. He had no political influence. Nowhere could he break in to a position of prominence or power. Without power his character led him from bad to worse and for sometime before he died he was confined to the house of correction in San Francisco.

There was but one tangible result of all the agitation and resolving of the Workingmen's Party. For many years there had been a growing sentiment in the state in favor of a new constitution. The leaders of the Kearney party repeatedly demanded that a new instrument should be drawn. Their idea was to make it of such a type that the Workingmen's Party could use it at all points in their efforts to "cinch" capital. While this was not the sentiment of the majority of the peo-

ple of the state, the repeated demands served to crystallize the matter and the legislature called for a constitutional convention to be held in September of 1878.

CHAPTER XXVI

THE CONSTITUTION OF 1879

THE inadequacy of the constitution of 1849 and the laws enacted thereunder had long been recognized by the people of California. All the old constitution contained concerning the taxing power was embraced in four lines. It left the legislature free to levy any tax as it saw fit. This freedom had been extensively taken advantage of with grave results. Also there was no restriction on the financial operations of the legislature. This led to the borrowing of large sums from one fund to squander in another. There was no restriction on salaries or fees and consequently both were far too large. The public domain was left entirely at the disposal of the legislature. The apportionment of representation was very faulty, some of the newer counties having no representatives at all. The governor was unrestricted in the use of the pardoning power. All of the evil conditions possible under such a lax system as this prevailed to an alarming extent.

In 1868 the legislature created a Code Commission to codify the laws. Their work was presented in four divisions — Political Code, Civil Code, Code of Civil Procedure, and Penal Code.

These codes were adopted and went into force in March, 1872. The cost of this undertaking was about $50,000, but it was one of the best investments the state ever made. This system of law is still the law of the state though it has been continually amended to meet changing conditions and the discovery of defects and inadequacies.

In addition to the adoption of the codes, the legislature had four times recommended to the people the drafting of a new constitution, but the idea had been rejected at the polls. By the time Kearney had achieved his prominence, however, the conviction was generally entertained that California needed a constitution specially adapted to her needs. Kearney and his fellow-agitators artfully dwelt upon what they claimed to be the fact that of the 850,000 people living in the state, 150,000 were living in comparative affluence, while the other 700,000 were struggling for existence. They saw hopes not only of changing the tax laws and other statutes to which they objected, but also of political preferment for themselves if the constitution were revised. The result was that in 1877 an overwhelming majority declared for a new constitution, and the convention which was to frame the new instrument was called for the fall of 1878. The Kearneyites looked upon this as a step toward the abolishment of all their ills.

The convention met in the Assembly room of the Capitol at Sacramento and was called to order

on September 28, 1878. The total number of delegates was 152. Of these the Workingmen's Party had elected forty-nine. Almost half (74) of the members were elected on a non-partisan ticket, while the Republicans and Democrats were represented by ten men each. The workingmen with the farmers had a clear majority of the votes but they had not a great allowance of brains. There were sixty lawyers in the convention, and the ultra-conservatism of their training served to balance to some extent the radicalism of the anti-capitalistic element.

The wild follies which would have been perpetrated in the name of law by this element, had it not been for the presence of a conservative force, can only be surmised, but we have a list of the propositions submitted by some of its members and they are an indication of what might have been. Foremost among these were anti-Chinese measures and many of them were adopted though afterward held to be at variance with the constitution and treaties of the United States. In addition to those adopted it was proposed to prohibit any Chinese to trade or peddle or carry on any mercantile business. Also anyone who had employed a Chinaman or bought anything of them within the preceding ninety days was to be deprived of his vote and the use of the courts. A "perfect" eight hour law and a "perfect" lien law were twin proposals whose "perfection" did

not win for them the consideration which those who drafted them thought they deserved. Another suggestion was to abolish the militia as "all fuss and feathers." One man introduced a provision for making allegiance to God and the state one.

Though these absurdities were avoided, the constitution as it was finally submitted to the people was a unique instrument. It contained many new and wholly untried provisions. The principal criticism directed against it, however, was that it was a code of laws, and not a constitution. This was in a measure true. It was three times as long as the constitution of 1849 and contained many provisions whose place was more properly in the statute books. There were two objects in this. One was to remove certain parts of the governmental process from the control of the legislative whim; the other to protect labor against capital.

The work of the convention was completed on March 3, 1879, and the result of its labors was submitted for the approval of the people on May 7 of that year. Capital, as represented by all the moneyed interests, opposed its adoption, threatening all kinds of dire evil to come in its wake. All of the stock objections of the so-called "stand-pat" element of society were urged against it. Some of them were in this case justifiable but the greater part of them, as usual, were overdrawn. The really objectionable features

had been allowed to go into the instrument by the conservative members of the convention in the hope that they would defeat the entire constitution; but in this they were wrong. The new constitution was adopted by a vote of approximately 78,000 as against 67,000 who were opposed to it.

A strange feature of the vote was that, though the instrument had been to a large extent drawn by the representatives of the laboring party, and was supposed to embody their ideas, it was rejected by nearly 1,600 votes, in San Francisco, where that party was in control. This adverse majority was overcome by the strong granger or farmer vote in its favor. The support of the agricultural classes was won because of their belief that it would lighten their burdens of taxation.

The new organic law became effective on January 1, 1880, and as it is still the fundamental law of the state it may be briefly summarized here. It opens with a somewhat lengthy bill of rights. This guarantees the protection of life, liberty, the pursuit of happiness, religious freedom, trial by jury, free speech, the right of public assembly, speedy trial for those accused of crime, freedom from arrest for debt except in case of fraud, and that there shall be no property qualification for any person to vote or hold office.

The legislature is divided into two houses, the senate with forty members and the assembly with

eighty. The former are elected for a four year term and the latter for two years. The powers of this body are carefully circumscribed. The state can issue bonds for any substantial sum only by vote of the people. The manner in which appropriations can be made is given in detail, in order that the extravagance of former legislatures may be avoided. Express directions are given to the legislature to pass laws for the limitation and regulation of charges for services performed by public service corporations. Lobbying is made a felony. Members of the legislature receive a salary of one thousand dollars for each regular session, ten dollars a day for extra sessions, and mileage not to exceed ten cents a mile.

The term of office of the governor of the state is four years. He must have been a resident of California for at least five years preceding his election. His powers are those usually exercised by governors of the states of the United States. He cannot, during his term of office, be elected a Senator of the United States. Other officers of the executive department, elected by the people, are a Lieutenant-governor, Secretary of State, Controller, Treasurer, Attorney-general and Surveyor-general.

The judicial power of the state is vested in the senate sitting as a court of impeachment, a supreme court of seven members, three district courts of appeal consisting of three judges each, superior

courts of general jurisdiction in each county, and justices of the peace in each township. These are supplemented by the police courts of the large cities, the recorders' courts of the small towns, and by the township courts into which the justices' courts in the large cities have been organized by subsequent amendments to the constitution. The District Courts of Appeal, established by amendment in 1905, are located at San Francisco, Los Angeles and Sacramento, and the Supreme Court holds sessions in each of those cities twice in each year.

Liberal provision is made for education. A Superintendent of Public Instruction is at the head of the educational system of the state, and the local administration is in the hands of County Superintendents of Schools. The proceeds of all the lands granted to the state by the United States are devoted to a special fund for the schools. The legislature is directed to provide a system of common schools so that there shall be maintained in each district a school during at least six months of the year. The practice goes beyond the requirement here and the school term is in general forty weeks. Text-books are adopted by the State Board of Education, printed by the state, and distributed at cost to pupils.* Provision is made

*Text books are now free, by amendment adopted in November, 1912.

for the permanent support of the University of California.

Local administration is accomplished by the division of the state into fifty-eight counties. These are managed by Boards of Supervisors. Other county officers are the sheriffs, county clerks, and district attorneys. Counties were later authorized to consolidate with cities under one government. The "City and County of San Francisco" is the only example of such consolidation. Counties are now (by later amendment) permitted to frame freeholders charters, which, if approved by the legislature, remove them from the operation of the general laws controlling county government.

As was to be expected from the circumstances under which it was adopted, the constitution of 1879 is unique in its treatment of the corporation problem. Each stockholder of a corporation or joint-stock association is made individually and personally liable for such proportion of all its debts and liabilities contracted or incurred, during the time he was a stockholder, as the amount of shares owned by him bears to the whole of the outstanding capital stock. The directors or trustees are also made personally liable to the creditors and stockholders for all moneys embezzled or misappropriated by officers of the corporation during the term of office of such director or trustee. A corporation is forbidden to issue stock or bonds

except for money paid, labor done, or property actually received, and all fictitious increase of stock or indebtedness is declared void. Cumulative voting for directors is prescribed. Corporations organized under the laws of any other state or country are required to comply with all the provisions of the California law before they will be allowed to do business in the state.

Railroad corporations are the subject of special attention and restriction both in the original instrument and in later amendments. No officer or other agent of any such company shall be directly or indirectly interested in the furnishing of supplies to such company. No state officer or legislator is allowed to accept a pass or a reduced rate from a railroad on pain of forfeiture of his office. No rate for transportation can be raised without the approval of the State Railroad Commission. Discrimination of all kinds is strictly forbidden.

Care has been taken to limit the power of the legislature in incurring indebtedness and the tax system is prescribed at length. All property was made taxable including mortgages. The financiers of the convention thought in this way to shift the burden of taxation for mortgage indebtedness onto the lender instead of the borrower. The only effect was to raise the interest rate sufficiently to cover the taxes. The attempt to tax mortgages was abolished by amendment in 1910. Cultivated

and uncultivated land, if the same quality, and similarly situated, is assessed at the same value. All taxes on real property can be paid in two annual instalments. Income taxes are authorized. A poll tax of two dollars is levied on each male inhabitant and is paid to the school fund. In 1910 an elaborate system of taxing corporation franchises for the support of the state government, leaving the taxation of local property largely in the hands of the counties, was adopted.

The legislature is instructed to protect by law the homestead and other property of all heads of families from forced sale. In compliance with this provision the home of a family, the necessary clothing and furniture, and the tools of a workman have been exempted from sale under an execution.

Stringent regulations were adopted in regard to the Chinese. All local authorities are empowered to pass laws to restrict them. Corporations were forbidden to employ them, but this provision was held by the courts to be antagonistic to the United States constitution. No Chinese may be employed on any public work except in punishment for crime. Coolieism is declared to be a form of human slavery and is forbidden. The Chinese are also refused the right of suffrage in defiance of the Fifteenth Amendment to the Federal constitution.

Miscellaneous provisions complete the docu-

ment. The capital is again fixed at Sacramento. Duelling is prohibited and anyone participating in a duel is deprived of the right of suffrage. Separate property of husband and wife is established. Mechanics and laborers are given a lien upon property for their pay. The boundary of the state is fixed as it now exists.

Such was the California constitution of 1879. Its character is very much the same as that of other legislation of the period. It attempted to be very radical and to forever establish the position of labor as the master of capital. If it had done what it tried to do it would have brought about a sorry condition of things in California. But it failed because the duty of carrying out its provisions fell into the hands of sane legislatures and courts. When the first legislature was elected under the new constitution there was a slight reaction against the radical theories which had been so loudly exploited. The legislature was of a much more conservative stamp than the convention. The Republicans were in control. They held strictly to the letter of the new instrument and restrained the desire of the other parties to carry out its so-called "spirit." The statutes passed under it were as conservative as possible. Many of its more vicious provisions have been pruned by the state Supreme Court.

The result has been to minimize the effect of the constitution upon the life of the state. It accom-

plished neither of the special objects of those who secured its adoption. Capital and labor being subject to a higher law than the constitution, the law of supply and demand, their relations were in no wise altered. The only effect of the attempt to control capital was to give the monied classes a fright, to win for the state a bad name throughout the country, and effectually to check the influx of capital when it was most needed for development. Now, after many years, capital has completely recovered from its temporary timidity, and, unable to resist the temptation of high interest and a good security to be found in projects for the development of a new country, has returned in plenty.

CHAPTER XXVII

POLITICAL HISTORY SINCE 1879

NO attempt has been made to give in detail the political history of the state since its admission to the Union, except in so far as it has had a direct bearing on the social development. A more sordid story than this political history would be hard to find. It is a pitiable repetition of inefficiency, dishonesty, and even crime. The political quarrels of the time led to the killing in a duel under unjustifiable circumstances of David C. Broderick, who was a United States Senator and one of the strongest public men of the fifties. His antagonist was David S. Terry, a justice of the Supreme Court of California, who had become notorious in Vigilance Committee days.

The legislatures of the first thirty years of the state's history were much alike in character. They had borrowed millions of dollars on the state's credit and used the money largely to further personal schemes. This was done in a manner which, even if it were possible under the new constitution, would not be tolerated in this day. In early times men were too busy with their own money-gettings to give this subject much atten-

tion, greatly to the profit of the politicians who did attend to it.

The constitution of 1879, among other things, was expected to work a great reform in the conduct of public officers, especially legislators. Since that time there has been a great improvement in the intolerable conditions which had previously existed, which is undoubtedly to be ascribed in larger measure to the increase of education and the higher character of the people than to any reform effected by the constitution itself. Since its adoption, as before, legislators have been approached by bribe-givers and have succumbed to temptation. In fact it seemed at first as if matters had gone from bad to worse, but of late years an aroused public watchfulness has brought about a great improvement.

In the fall of 1879 the Republicans made an effort to redeem the state from the unnatural domination disclosed by the choice of thirty-five foreign-born delegates to sit in the constitutional convention. As a result of this effort they elected George C. Perkins governor by a majority of 21,000 votes. This was a startling reversal of the vote on the constitution, which had been characterised as an amplified Democratic platform. The only explanation of this change of front lies in a suspicion that underground forces were set at work to counteract the effect of the new organic law.

The first legislature went far to justify such suspicions. It wasted its time in useless bickerings; failed to make an apportionment, though this was mandatory; failed to pass an appropriation bill, to fix the taxes, or to send appointments to the senate for confirmation. An extra session was a necessity and was called by the governor. It did little beyond drawing its pay, and left things in much the same unfortunate condition in which it had found them. In spite of this inauspicious beginning, however, the Republican party has been able to retain its control of the legislative body almost continuously since that time. Only once have the Democrats recovered it, during the years from 1895-99, following the great panic of 1893.

The Chinese continued to furnish a constant subject for discussion by political orators and for action on the part of legislators. While the field of action was Washington rather than Sacramento, California was the principal actor, and the matter is part of the history of this state. In 1881 a new treaty was entered into between the United States and China by the terms of which it was agreed that the United States could exclude Chinese laborers at any time it saw fit. The following year Congress took advantage of this provision and passed a law suspending immigration for a period of ten years and denying to the Chinese the right of naturalization. These enact-

ments were entirely foreign to the spirit in which the treaty was made, but the labor vote held the balance of power in California, and neither party could afford to lose the political support of this state. The result was that the spirit of the treaty was grossly violated, the politicians who did it trusting that a weak and unwarlike nation would submit.

But nothing would satisfy the class in California which demanded the continual harassing of the Orientals. In 1887 an anti-Chinese convention met in Sacramento. It adopted and transmitted to Congress a long and greatly exaggerated statement of conditions and fears on the Pacific Coast. This document is known as the Anti-Chinese Memorial. The continued agitation frustrated an attempt to negotiate a new treaty which would have been somewhat less restrictive, and as the ten years covered by the Act of 1882 drew to a close, another statute known from its sponsor, a California Congressman, as the Geary Act, was enacted.

This act provides that it is unlawful for any Chinese persons except certain exempt classes, including merchants, students and diplomats, and their servants, to come or to return to the United States. The penalty for shipmasters bringing such persons is fixed at $500; for swearing falsely, $1,000 or a year's imprisonment, and the forfeiture of his vessel to the United States. Any Chi-

naman crossing the boundaries was made liable to arrest by any party on behalf of the United States, and to deportation — the penalty for violation being fixed at five years' imprisonment. All Chinese, whether subjects of a foreign power or not, are included under the law and citizenship is denied to all. Chinese already resident in the country must obtain minutely detailed certificates containing their photographs.

This act was tested in the courts by the Chinese in California. Greatly to the surprise of a majority of the members of the bar, it was held by the Supreme Court of the United States to be constitutional. And thus finally a system of registration was set in operation. It was the result of fourteen years of agitation which had crystallized from time to time in legislation. The beginnings had been mild but the progress had been toward greater and greater strictness until the Geary law was passed. Every one of the acts had been passed on the eve of an election and politics had been almost admittedly the guiding motive.

The Geary Act was the culmination of the anti-Chinese excitement. From the time of its passage the agitation has lost force. In 1894 a treaty was entered into which modified the restrictions to some extent. Increased immigration from the eastern portions of this country and a broader outlook upon life by the Californians themselves has reduced the Chinese bugbear to the minor

place in our political life which it should rightfully occupy. It is sometimes used by politicians of the lower class to draw votes from the unenlightened among the laborers but it no longer deceives the great mass of the voters. The Japanese, Corean and East Indian immigration has occasionally served as an excuse for renewing the exclusion agitation of late years, but until this year it has been considered seriously by only a small number among the ignorant workingmen.

The one feature of the Chinese question which is today deserving of public attention is the treatment accorded to educated Chinese of the classes exempted from restriction, by ignorant officials who have been entrusted with the duty of executing the law. Many of these have been active anti-Chinese agitators and have stretched the law beyond all reason to harass individuals of the race they hate. Indignity and insult have been heaped upon travelers, scholars, merchants and even guests of the nation, which are a disgrace to our system of government.

While the Republican and Democratic parties were using the Chinese and other questions to win votes, the real struggle during these second thirty years of the state's existence has been only nominally between these two parties. It has in reality been between the unorganized citizenship of the state and highly organized private interests. The issues have more often than not been

clouded and the vital one has seldom been brought boldly to the front. Hidebound partisanship has been the order of the day and has contributed immensely to tighten the grip which corrupt politicians have been enabled to fasten upon the people of the state.

The most active factor in establishing and maintaining this system of governmental control, as well as the greatest beneficiary of its working has been the Southern Pacific Railroad, and upon it has been heaped untold volumes of obloquy for this activity. But it has not been alone. Associated with it have been all the interests in the state which could in any manner profit from the corruption and control of the representatives of government. But because of its greater interest, and perhaps because of the greater respectability of its supporters the railroad company has received the lion's share of the blame as it has of the profits.

This organization has come to be known as the "machine," a term which has been required to do far greater service than the circumstances demand. It will be used here to denote the political organization of those interests which have a direct personal gain to be derived from legislation, as opposed to the general interests of the community at large.

The machine in California has not by any means confined its attention to one of the great

parties. Though it has in almost every instance acted through the Republican organization, it has been because that party has been dominant and not from any regard for its principles. The Democratic party machinery has been as readily used when occasion has demanded. The machine manipulators have amused themselves by inserting in the declarations of principles of both parties denunciations of their own activity in politics. These denunciations have been bolstered by requiring oaths of candidates and of officials that they would do various things to curtail the power of the machine. And the people, busy with their own affairs, have, with varying degrees of quietness, permitted the wrong. During these years California suffered the shame of being known among her sister states as the abject slave of the Southern Pacific Railroad.

The deepest depths of this degradation were reached during the notorious Schmitz-Ruef regime in San Francisco. Abraham Ruef was the " boss " of the city and had at his command all the cohorts of evil. He placed in the mayor's chair Eugene Schmitz, a musician and a violent laborite. The methods employed by these men in handling the relief fund at the time of the great earthquake and fire in 1906, aroused the community and they were later criminally prosecuted on a long list of indictments. After one of the most sensational of criminal trials in which reprehensible tactics

were freely used by both sides, and during the course of which the prosecuting attorney, Francis J. Heney, was shot down in the court room by a disqualified juror, Ruef was convicted of extortion and sent to San Quentin prison. Schmitz was freed on a technicality by the State Supreme Court.

In 1908 began what will probably constitute the third great political epoch in the history of the state. In that year was organized the "Lincoln-Roosevelt Republican League." Its avowed purpose was to take the political control of the government of the state from the servants of the political ringsters who had so long controlled it, and to put it back into the hands of the people. Similar organizations with similar purposes had been formed in the past and had died in the bloom of their youth, the great work of their lives yet undone. The reactionary press and the machine speakers heaped ridicule upon the new organization and prophesied a like fate for it.

But they were to learn to their sorrow that this movement was of another stamp than its well-meaning predecessors. In the fall of 1908, when the election returns were read it was found that this organization had elected a majority of the members of each house of the legislature of 1909. A very small majority to be sure, but still a majority. Ridicule gave place to consternation among the machine leaders. But they did not forget

themselves. What they could not obtain by ballot, there was still an opportunity to secure, by means of the political trickery they knew so well, in the halls of the legislature itself.

The representatives of the new regime were exuberant over their victory but they did not know how to secure its fruits. They let the machine men organize both houses of the legislature trusting to their voting majority for control. All too soon they discovered their mistake. They found that all of the measures which would have secured the reforms which they were pledged to enact were subjected to innumerable delays and obstructions. In their inexperience they did not know how to overcome the difficulties. Good measures were almost without exception smothered in committee. Bad ones were forced upon them for attention and some of them passed. The only permanent gain was the passage of a strict and enforceable Anti-gambling Law.

Again the machine leaders laughed, but their merriment was not to last long. The people of Los Angeles had placed in their charter, much against the wishes of the machine, a provision for the recall of unsatisfactory officials. The mayor of Los Angeles was at this time A. C. Harper, a typical product of the old methods in politics. An aroused public sentiment found him and his supporters working in conjunction with the forces of evil and, though but nine months of his term re-

mained, a recall election was called. Harper withdrew his name at the last moment and George Alexander, a Lincoln-Roosevelt League man, was elected to complete the term. In order that the machine leaders might feel the full force of the sentiment which had done this, Alexander was again elected over their candidate at the regular election nine months later.

The legislature of 1909 had not been altogether a failure from the people's standpoint. It gave to their representatives the experience they needed for the legislative session of 1911. In that year the Lincoln-Roosevelt League secured control of the machinery of the Republican party. It sent its leader, Hiram W. Johnson, to Sacramento as governor of California. It sent to the legislative halls a clear majority of experienced legislators pledged to carry out its reforms.

The legislature of 1911 is a memorable one in the history of the state. It has enacted into law and woven into the constitution principles which are destined to have a far larger influence upon the life of this commonwealth than all the radical innovations which were adopted with that constitution in 1879. The innovations of that instrument dealt with the relative rights of different interests in the state. In its operation the reforms were nullified because the methods of administration were imperfect. But the reforms of 1911 were largely in the methods of procedure by

which the great fundamental rights were to be secured to the people at large. Whether these changes are to operate for better or for worse it is too early to predict, but their general trend seems to be in the direction of the best interests of the whole community.

The first duty of the new administration, it was urged, was to remove from office every man who in any way represented the old regime. This was effectually done. In some cases it was done so effectually that suspicion is aroused that the sinister connection has been imagined in order to remove an unfriendly office-holder. But such instances are few and in the main there has been a thorough house-cleaning. The resulting administration of the state has for the most part made a clean and satisfactory beginning.

The legislature immediately after its organization and the election of John D. Works of Los Angeles as United States Senator, amended the Direct Primary Law so that it provides an honest state-wide expression of the electorate of their preference among the candidates for that office. The election of state officials was also lifted out of the rut of partisanship by the abolishing of the party circle on the ballot.

Constitutional amendments were placed before the people (and by them adopted) providing for the institution of the initiative, the referendum, and the recall. After a prolonged debate and

much opposition even among those who were otherwise friendly to this latter measure, it was finally extended to include the judiciary.

The railroad problem was boldly dealt with. The railroads of the state had at an early date secured control of the railroad commission created in 1879 and through this control had enjoyed complete immunity from restriction in the matter of rate-making and service. A constitutional amendment was submitted (and adopted) increasing the number of commissioners from three to five, and making them appointive by the governor instead of elective. The powers of the commission are greatly enlarged, and in addition to railroads, all kinds of public service corporations are placed under its control. Another important provision is that no rate may be changed without the consent of the commission.

The question of woman's suffrage is an old one in California. It was proposed in the constitutional convention of 1879 to give women the ballot but the measure did not carry. In 1882 the Prohibition party adopted a plank declaring for the extension of the suffrage to women. Various bills have been introduced into the legislature from time to time providing for this extension. The 1911 session submitted the amendment to the people of the state and it was adopted by a large majority.

Many so-called labor bills were brought to the

attention of the 1911 legislature. One of them, providing for an eight-hour working day for women, passed, and has been upheld by the courts. An anti-injunction bill was defeated. But more important than either in its bearing upon the present lack of equilibrium in the relations between labor and capital, is the Employer's Liability amendment. This authorizes the legislature to pass a compulsory compensation law for the benefit of employees injured by accidents in the course of their employment. It attempts, with what success still remains to be seen, to throw the burden of this loss not upon the individual and those dependent upon him for a living as heretofore, but upon the industry itself, thus distributing it ultimately among the whole mass of the people.

Such measures were the result of the activity of the Lincoln-Roosevelt League. The changes it has brought about in the fundamental law of the state have been clearly in the way of progress. No matter what machine may in future gain control of the state law-making body, it could not undo the work of the legislative session of 1911. There is but one stain upon the record of that body. It failed to pass a bill for the reapportionment of the state, though this duty was placed upon it by the state constitution. This failure was due to the opposition of the city representatives and the representatives of the rural districts to each other's plans of apportionment. The disproportionate

growth of the urban centers has given rise to a new problem whose proper solution will be a difficult matter and is not yet clear. In the sum total of good accomplished by the 1911 legislature this dereliction may well be overlooked.

In the presidential campaign of 1912, the " progressive " element in control of the Republican party in California, heartily espoused the candidacy of Theodore Roosevelt. When he was nominated at Chicago by the Progressive party, Governor Johnson was named for the vice-presidency. At the election the voters of the state gave this ticket a majority so small that for days the outcome was doubtful. Some of the methods used by a few of the leaders of the Progressive Republicans during the campaign bring to mind the days of the old machine, and the question is an open one as to whether this party of reform has not already rendered its service and fallen into the hands of men who would use it for their own ends.

CHAPTER XXVIII

THE DEVELOPMENT OF NATURAL RESOURCES

"THERE may be in California, now made free by its constitution — and no doubt there are — some tracts of valuable land." Daniel Webster expressed this opinion of California in the United States Senate in 1850, and in all probability he voiced the ideas of a great number of people in the eastern states at that time. There were also many people even in the West who were not at all sure that California was good for anything but gold-mining. But these who were of this way of thinking overlooked two things — one that the topography of the state reproduces the climate of every state in the Union; the other that by far the greater portion of its soil is of such a nature that if water can be conducted onto it, it will grow anything that the climate of the particular district calls for. The result is that California is in a measure able to reproduce the products of all the states.

In pre-American days the chief and in fact the only industry was the production of hides and tallow. Hundreds of thousands of cattle grazed the hills, receiving practically no care and worthless for meat, but yielding vast quantities of hides and

tallow. These were disposed of to the American trading vessels. Only enough planting and cultivating was done to sustain the inhabitants. The mission and pueblo lands were the centers of this limited agricultural development, the ranches being smaller oases in the otherwise desert country.

Incoming foreigners began production on a larger scale. Sutter in 1840 started an extensive agricultural development in the Sacramento Valley. With the increasing difficulty of obtaining gold when surface mining passed, more and more men turned to agriculture, which promised large returns at the then current prices. By 1854 the state had become practically self-supporting so far as foodstuffs were concerned. This was for the most part in the line of staple cereals and garden truck. While orchards and vineyards were early understood to be a possibility, the rather indifferent success at the missions with both oranges and grapes had discouraged any large effort in that direction.

In the later fifties, however, began a widespread experimentation in what could be done in California. Every country in the world was levied upon for seeds and experience. The climatic conditions were ideal; the ground fairly level and in many instances ready for the plow; the farmers of the state boldly experimented in every direction. It was soon discovered that wheat could be raised in the great interior valleys which had

hitherto been condemned as arid. This discovery gave a tremendous impetus to agricultural development in all parts of the state.

But it was found that for other products than the grains, water in addition to the annual rainfall was a necessity. This difficulty was overcome by irrigation. Once introduced, the use of this method of watering spread rapidly. It had been used in a small way at the missions but never much developed. In 1871 the great San Joaquin and Kings River canal was commenced. When finished this canal was seventy miles long and carried water to 190,000 acres of land. Many such irrigating canals have since been built, the most noted system being that in the Imperial Valley which carries the waters of the Colorado River to thousands of acres of land. Irrigation projects are constantly in course of construction in all parts of the state.

Irrigation is not a drawback to the land. It is a distinct advantage as compared with natural rainfall. The farmer who irrigates may occasionally be troubled by floods, but he practically never has to think of drought. His water supply is wholly under his control and he can give his growing crops more or less, as is required. The water also fertilizes and renovates the soil and does much to eradicate such pests as squirrels and grasshoppers. There are several towns in California which have been built up entirely because

of their location in the center of a large irrigated district. The city of Riverside, for instance, is now one of the centers of the orange production of the state. In 1872 there was no settlement there and the whole surrounding country was a barren waste.

The prevalence of ditch irrigation and sinking wells for irrigating water has given rise to new problems in law which have proven very embarrassing to the courts of the state. There has been almost endless litigation over water rights in nearly every large source of supply in the country. In trying to apply rules of law which were developed in a country where there is a heavy rainfall and clearly marked streams, to a country where there is little rainfall and the streams run underground many difficulties have been encountered. Even the supreme court of the state has shown some hesitancy in arriving at conclusions, and the judges have not always remained satisfied with a principle even after they have enunciated it. The correctness of the present rulings on the subject is questioned by many able lawyers who have made a deep study of the matter.

The cereals are the great staple product of California. They are grown in all parts of the state under the process known as " dry-farming," without irrigation. Wheat and barley are the largest crops. Oats is a heavy crop in the north. Corn is produced in large quantities all over the state. A

more recent crop is alfalfa. It has been extensively planted of late years especially in the irrigated districts of the southern part of the state. It requires a comparatively large quantity of water but is an excellent food for stock.

Gardening became prominent during the first reaction from the gold excitement. The high prices prevalent during the early fifties led many into it with a consequent lowering of the price level. There was still a large yield, however, and the recent growth of the large cities has caused the acreage given over to truck farming to increase steadily.

Cotton was first planted in 1865, but was confined to a small area in Merced and Kern counties. During the last few years much experimental work has been done in the Imperial Valley, and this district gives promise of an extensive cotton production though it is too early as yet to predict its future with any degree of certainty. Tobacco has been tried in several parts of the state but so far has not obtained much of a foothold. Sugar beets are rapidly taking a position as one of the leading products of California. The acreage planted to this vegetable is increasing rapidly and many sugar beet factories are in operation.

Fruit and grapes are among the greatest of California products. The yield per acre is about twice that of other countries. Apples, (in the high lands), peaches, pears and apricots are all

widely planted. One-half of the prune trees of America are in Santa Clara county. Much of the fruit is dried. Limes, figs, walnuts, almonds, peanuts, and olives are also common. The latter are grown on dry lands without irrigation. The berry crop is enormous. Strawberries, blackberries, red and black raspberries, and loganberries, (the latter a cross between the blackberry and the raspberry) are favorite varieties.

Oranges and lemons are by far the best known crops of California. These fruits were first planted by the missionaries, but they never met with much success in their cultivation. The real development of the modern orange industry began in 1873 with the introduction of two seedless orange trees from Brazil. From these were evolved the "Washington Navel" which is one of the all-prevalent varieties. Citrus trees, if properly cared for, bear for twenty or thirty years, and as new acreage is constantly being added to the existing total the production is always on the increase. The acreage in lemons is slightly less than that in oranges, and the value per acre is about the same. Until recently, one-quarter of the citrus trees of the state were in Los Angeles county, but the constant setting out of trees in the San Joaquin Valley together with the enormous groves at Riverside and Redlands are rapidly lessening this proportion.

All parts of the world have been levied upon

LOS ANGELES IN 1857

to furnish varieties of grapes, and all varieties flourish in California. Napa and Sonoma counties are large producers but the south is the principal district. Large quantities are raised in Fresno and the neighboring counties and converted into raisins. One-half the grape acreage of the state is in wine grapes. The largest vineyard in the world, consisting of 4,000 acres, is located at Cucamonga in San Bernardino county. Almost every kind of wine is produced somewhere in California, and the total production is about three-fifths of the total for the whole United States. Brandies are also an important product.

Cattle-raising was an important industry in the early days but later declined to an adjunct of ranching. Latterly the cultivation of pasture has been introduced and cattle are raised more and more for dairying instead of for their hides. There are still many thousand head upon the ranges of the more mountainous districts. California horses, while not raised in great numbers, are among the finest in the country. The raising of sheep for wool was introduced by Americans in 1853 and has since become an important industry. Hogs are raised on the tule lands of the San Joaquin and Sacramento Valleys and of late years on the irrigated lands of the Imperial Valley, where they are allowed to run loose in immense fields of alfalfa and barley. Poultry-raising has never assumed a very prominent place though it is at

present on the increase. The principal center of this industry is at Petaluma.

In the northern part of the state the production of lumber is an important industry. The redwood and sequoia forests have furnished millions of feet and are being extensively cut at present with little or no attempt at reforestation. Other native growths are the Douglas fir, the sugar pine, and the Oregon pine. The latter is widely used in the construction of dwelling houses. In the south the planting of eucalyptus has received much attention in recent years. It takes from six to ten years to grow a tree of marketable size, and after cutting new trunks will spring from the same stump. The principal use of this wood in the past has been for firewood but it is now used to some extent for furniture and cabinet work.

Ever since the gold days California has retained her pre-eminent position in the production of the precious metals. Up to the year 1910 she had added over two billion dollars to the world's gold supply. She has also been a large producer of silver. All the quicksilver produced in the United States comes from this state and one mine in Oregon. Iron ore is present in large quantities in various parts of the state but so far has not been much developed because of the lack of smelting facilities. There is a small output of copper, borax and salt. Coal is mined in several of the coast counties but not in large quantities.

Oil promises to become the most important mineral product of the state if the recent enormous development is continued. The first attempts to secure oil were made by Andres Pico in Pico Cañon near Los Angeles in 1856. But the real growth of the industry has taken place in the last twenty years and in 1907 the production exceeded that of gold for that year. Los Angeles county was for many years the chief producer but is now giving way before Kern and Fresno counties in the San Joaquin Valley. California oil differs in general from the eastern product in that it has an asphaltum instead of a paraffin base. It is not good for illuminating, nor where rapid combustion is necessary as in automobile engines. It is, however, a splendid fuel and is extensively used not only in the household but almost exclusively in locomotives and steamships. It is about forty per cent cheaper than coal. Its market is being rapidly extended to all parts of the world. The industry has seen a wonderful expansion in the last three years. At times this has been so rapid that there have not been sufficient transportation facilities to carry the product to market. This problem is being solved by the construction of huge pipe-lines from the wells to tidewater.

Manufacturing development has been much hampered by the scarcity of raw materials and the extremely high cost of labor. Fuel has also been difficult to obtain in the past but the recent

development of petroleum and the utilization of water power for the generation of electricity have overcome this obstacle.

The first manufacturing enterprises arose from the need of repairs to machinery and equipment during the mining days. Special needs at the mines developed local industries and the general growth of the country led to the establishment of larger manufactories in and about San Francisco. The large production of wheat has resulted in the erection of mills, which export most of their product. The Civil War gave an added impulse to California manufactures. It caused a large immigration to the Pacific Coast and influenced many people to remain here who otherwise would have returned to the East. By cutting off other sources of supply it greatly increased the demand for local products. This new impulse centered in San Francisco and gave that city a lead in manufactures which it has since maintained. One of her shipyards has constructed eight vessels for the United States navy.

The present outlook for manufacturers is of the brightest. The rapidly increasing population is creating a large home market. To this is added the force of the local sentiment in favor of using home products wherever possible. The large acreage which has within the last few years been planted to eucalyptus promises to remedy in time the lack of hard and elastic woods. The "home-

seeker " immigration is bringing in more and more laborers. To these will be added great numbers of immigrants from Europe when the Panama Canal is opened. With more and cheaper labor, and a large and growing home market, the manufactures of California will soon surpass in value both the mineral and agricultural products.

The first foreign commerce of California was represented by the supply ships from Mexico. After these came the trading and smuggling vessels, and barter with the Russians in the north. The gold rush with its high prices became a magnet for the surplus goods of the entire world. Anything was considered good enough to send to California. Hundreds of vessels sailed into San Francisco harbor with absurd and unusable cargoes which were left to rot on the wharves. Many of the ships were never even unloaded for they were without a single deckhand within a few hours after arriving. The high prices sent up the cost of doing business to almost prohibitive figures. The few warehouses were quickly filled. Auction sales were the only remedy, and goods sold for little or nothing in huge quantities. The result was failure after failure which brought on a widespread commercial panic.

The gold rush of course practically put an end to what little export trade there was for the time being. The vast herds of cattle which had formerly been raised for their hides and tallow only,

suddenly became extremely valuable for their meagre supply of meat. California was wholly unable to support the enormous numbers of newcomers and great quantities of foodstuffs were imported for several years. Most of the imports came by sea. The completion of the Central Pacific or other railroads has never decreased the volume of this traffic. The increase in population has been sufficient to keep it on the increase.

At present, beside being connected with the eastern states by four transcontinental lines, California receives at her ports the ships of regular lines of steamers from Alaska, Japan, China, the Philippines, the Hawaiian Islands, Mexico, and Central and South America. The opening of the Panama Canal will add lines of steamers to Atlantic ports and to Europe to those already in operation. A fifth transcontinental railroad is being constructed across the state from San Diego and another across the central portion of the state is projected. Aside from the many local steam lines, the districts surrounding the large cities are served in every direction by networks of electric railroads which are among the most extensive in the country.

CHAPTER XXIX

SOCIAL PROGRESS

SINCE the gold days the principal immigrants to California have been Americans drawn by the possibilities of the soil. These men were of as strong fibre and of better character than the average of the gold days. The type of immigrant has steadily improved, bringing an added element of culture and refinement.

The state also began to acquire fame as a place to live. At first this brought many tourists to California, people who were fleeing to escape the rigors of the eastern winters in the milder temperatures of this state. The comparatively warm winters, especially in the southern part of the state which became the goal of these travelers, gave rise to a general belief among these very people that the summers must be intolerably hot. Within the last decade this erroneous belief has been eradicated and the climate, added to the many other attractions of the life of the Pacific Coast, is now drawing to California many thousands every year to make it their home.

The newcomers thus drawn to the state are many of them of moderate or even large wealth and they bring with them the culture and refine-

ment of their eastern homes. California cities are rapidly becoming stamped with the impress of eastern life. The education and intelligence of the mass of the population is far higher than the average for the country as a whole because of this select immigration. The desire for wider and deeper mental attainment is becoming widespread.

Of course such a development would have been impossible without the accompanying change in the social atmosphere. We have seen the disgraceful lack of order which prevailed during the gold days, caused by conditions unique in the history of the world. The riots of 1877 were due to special impelling causes. Nevertheless it took many years for San Francisco to achieve a state of security because it was the center of attraction for all the vicious elements on the coast and even far into the interior.

The other cities in the state, possibly because of their smaller size, have been more successful in this respect than San Francisco. Los Angeles in particular has been free from labor troubles. This has been largely due to the broad-minded policy of employers in that city combined with their determination to hold in check the lawless element which is the disgrace of labor unionism. Although workmen in Los Angeles receive wages in many cases higher than the union scale, and never lower, and work under the best possible con-

ditions, and are in the main contented and satisfied with their lot, the independence of the employers and the freedom of the city from the abuses of union domination have been a constant source of irritation to the more violent of the labor leaders of the country.

The result has been that frequent attacks have been made upon the industrial independence of the city by agitators from the outside. Men have at various times been poured into the city for the express purpose of fomenting and encouraging strikes and riot. The worst experience of this kind which the city has undergone culminated on October 1, 1910, in the dynamiting of the building of the *Los Angeles Times,* a newspaper which had long been in the foremost ranks of the opponents of labor-unionism. The plant was totally destroyed and twenty-one employes killed. Two brothers, J. B. McNamara, and J. J. McNamara, were placed on trial for the murder of these men. During the course of the trial both men confessed their connection with the crime and were sent to San Quentin prison.

San Diego has recently been the unfortunate center of another type of agitation. Like most large cities she has an ordinance forbidding public speaking in the center of the business section. Representatives of the Industrial Workers of the World, an anarchistic organization, attempted to use the streets in spite of this ordinance. The

police interfered and the agitators immediately raised the cry that the freedom of speech guaranteed to them by the Constitution (which they were trying to overthrow) was being denied. A call was sent forth and many men claiming to be members of the order set out for San Diego with the avowed intention of having themselves arrested and filling the jails and crowding the courts until the machinery of justice must stop. Some over-zealous citizens, fearing that the police would be unable to handle the situation, formed a "vigilance committee" to protect the city from the threatened plague. Many of the agitators were roughly handled and the attempt to overwhelm the city failed.

But these demonstrations of recent years are the result of no conditions peculiar to California. They are sporadic effects of the nation-wide effort of certain agitators to stir up the lowest classes of the people to violence and anarchy. It is even more than nation wide; it is world wide. The leading nations of Europe are having to contend with it in the form of syndicalism, sabotage, and under other names. While the principal incidents in connection with the movement in California have been of a striking character, and have occasioned much newspaper comment, these incidents have entered little into the life of the average citizen. They are as a rule accompanied with little rioting and few acts of rowdyism.

Turning from these few but notorious incidents in the later life of the state, all is found to be in the course of progress and advancement. In matters religious, California has retained nothing of the atmosphere of her earlier years. She has now few traces of either the religious domination of the pre-American days or of the godless atheism of the gold days. The Roman Catholic church continued to minister to the native born population after the conquest but for many years after the gold discovery religion was a minor consideration in the general life of the community. With the coming of the later waves of immigration, however, religion has quietly assumed its normal place in the life of the people and several cities of California are noted for their large church attendance.

In educational matters California has made the greatest strides. In her first constitution she provided for a system of common schools and preliminary steps were taken for the establishment of a state university. In 1868 the act creating the University of California was passed by the legislature and signed by the governor. This newly created body accepted the gift of the College of California which had been founded at Oakland in 1853 by Rev. Henry Durant, and had later moved to a beautiful location at Berkeley. This College became the College of Letters in the University and other colleges have been added from time to time until there are at present fifteen. A Board

of Regents is the governing body of the University and it is supported by the income from a number of special funds created by gifts of land from Congress and the state legislature. Many educators of national fame have taken part in the development of California's leading educational institution. Among these are such men as Daniel Coit Gilman, at one time its president, Joseph LeConte, and the present president, Benjamin Ide Wheeler. There are now over four thousand students in attendance at the various colleges of the University.

California is fortunate in having within her borders two universities of the first rank. In 1885 the Leland Stanford Junior University was founded by Leland Stanford and his wife, Jane Lathrop Stanford, in memory of their son. Like the state university it is open to members of both sexes. Stanford University is one of the wealthiest educational institutions in the world, having an endowment of over twenty millions of dollars. Nearly two thousand students are in attendance.

Beside these two great universities in the northern part of the state there are many smaller institutions especially in the south which are doing work of a high order. The University of Southern California was founded in Los Angeles in 1879 and now has nine colleges, and nearly two thousand students. The trustees are elected by the Southern California Annual Conference of the

Methodist Episcopal Church. Occidental College is also located in Los Angeles. It was founded in 1887 under the auspices of the Presbyterian Church. Its student body numbers about four hundred. Throop Polytechnic Institute was founded at Pasadena in 1891, by Amos G. Throop. Its activities are devoted to instruction in the higher branches of electrical, mechanical, and civil engineering. Its student body is quite small but its standard of work very high. About forty miles out of Los Angeles at Claremont is located Pomona College. This college was founded in 1888 under the direction of the Congregational Church. It has grown to be an excellent institution of nearly five hundred students. To these smaller educational centers there has been added as late as 1909 the University of Redlands at that city. This new institution is fostered by the Baptists of California and, with three colleges, has already a student enrollment of about two hundred.

In connection with these institutions for general educational purposes must be mentioned the Lick Observatory at Mount Hamilton, the foundation of James Lick; and the Carnegie Astro-Physical Observatory at Mount Wilson endowed by Andrew Carnegie. These are two of the greatest observatories in the United States and their work is closely watched by scientists all over the world.

California's literary history, like her political and social history, has pursued its course more or less independent of the rest of the country. The first California literature consisted of books of travel by almost every stranger who visited the Pacific Coast. The principal characteristic of most of these works is their exaggeration. The first local literary efforts were in newspaper work. The first paper was published at Monterey by Robert Semple and William Colton in 1846, immediately after the conquest. *The Californian* as it was called was somewhat hampered by the lack of "w"s in the alphabet, which had been brought in by the Spanish. The attempt to overcome this difficulty by the use of two "v"s gives some of the words an odd appearance. *The California Star* was established at San Francisco in 1847 by Samuel Brannan. In 1849 these two papers were combined to form the *Alta California* which was the great paper of San Francisco during the gold days, and whose files contain much of the vital history of the state.

The picturesque life of the mining days furnished material for the next epoch of California literature. This epoch was a prolific one and the tales of the gold camps which were disseminated in this way are marvelous to hear. The picture they have left of those stirring times is no less exaggerated than the early (and even some of the more recent) descriptions of California. The

people of the mines were common people from all parts of the world. The life of the mines may have had its effect on their character, but the dialect and actions imputed to them by some writers are impossible.

The next epoch, if it can be so called, took as its subject matter the life of the Hispano-Californians. The picturesque romances of those days have become favorite themes for many charming stories from numerous pens. These, except for their idealizing of the conditions which existed at that time, have the merit of being more accurate in their description of the life of the period. To this epoch, though it deals with the sad end of Hispano-California, may be assigned what is probably the most widely read of all books about California, Helen Hunt Jackson's *Ramona.*

Recent California literature has become both broader and deeper than heretofore. Books of more serious import are appearing. Valuable works of historical and philosophical importance are being published from time to time by California authors. The state is also the home of several colonies of prominent authors of fiction and lighter sociological works.

In art and music, too, much is being done of recent years. Painters have found that the coasts and mountains of California furnish subjects in never ending variety. The mission ruins and the life of the southwest Indians have also been

favorite subjects. In music much the same culture is found that prevails in eastern cities. San Francisco and Los Angeles have their grand opera seasons, and symphony orchestras and choral clubs fill out the musical year.

While California must of necessity, because of her youth, lack much of the completeness in small details of her eastern sisters, of her great achievements she may be justly proud. Her keynote is vastness, and in describing her characteristics it is constantly necessary to employ the superlative. The doing well of the large things must in time accomplish the doing thoroughly of the smaller things.

CHAPTER XXX

THE GROWTH OF THE CITIES

MORE than one half of the people of California live in the cities about San Francisco Bay, Los Angeles, San Diego, and Sacramento. While the development of the agricultural districts of the state has been phenomenal, the greatest growth in population during the last three decades of tremendous advancement has been in these centers. This may be ascribed in part to the tendency toward city life which is perceptible all over the country but in greater measure to the development of California's commercial side as distinguished from the increase of production. In order to understand the California of today it is desirable therefore to review the growth of the cities.

There are a number of smaller cities which are worthy of mention but to which much space cannot be given here. El Centro is the growing center of the great Imperial Valley on the southeast. Riverside and Redlands are located in the southern orange-growing districts. San Bernardino is a large interior railroad center. Pasadena is one of the most beautiful residence cities in the world. Bakersfield, the largest city in the great oilfields

of the San Joaquin Valley, is one of the busiest cities in the state. Fresno is the center of a vast fertile agricultural area. Stockton and Marysville are the interior distributing centers for the river traffic of California's two great rivers. San Jose is the commercial center of the beautiful and exceedingly fertile Santa Clara Valley. Eureka, on Humboldt Bay in the northern part of the state is one of the largest lumber shipping ports in the world.

The neighborhood of Sacramento, now the capital of the state, was an important place in California even in pre-American days. Sutter's Fort was the rendezvous for thousands of immigrants to the state. But its atmosphere was that of a rural trading center. The gold discovery made it for a time the focus of the attention of the world and the busiest place in California. Two new towns, Sacramento and Sutterville, were started in the immediate neighborhood because of disagreements between Sutter and his son and neighbors. Each of the three places struggled for the supremacy for several years, Sacramento finally winning it. The river traffic increased. Regular service was established in August, 1849. By May of 1850 there were eighty-five sea going vessels moored in the stream off Sacramento's wharves. The new town had begun to grow. But before it became a great city it must have its baptism of suffering. Soon after it was founded

cholera took a terrible toll from the number of its inhabitants.

Floods have always been Sacramento's greatest scourge. The first one occurred in the winter of 1849-50. Four-fifths of the city lay under water and boats were the only means of transportation on many of the streets. To meet and guard against a recurrence of this disaster a levee was built. While this ameliorated conditions to a great extent it was not sufficient to prevent a repetition of large losses from floods in 1852, 1853 and 1861. Fire also did its part in retarding the building of the city. In 1852 over five million dollars worth of property was destroyed by this means. Sacramento profited by her experience, however, and took effectual measures to prevent the recurrence of losses from this cause.

The city also had its social disturbances. Unprincipled men stirred up squatter riots, alleging a flaw in Sutter's title to the land. These were soon put down, but the disorder and the floods brought on a commercial depression which resulted in more rioting and disorder. Sacramento had its Vigilance Committee in 1851 and two murderers were hanged. In 1854 a Chinese war occurred which marked the beginning of the more violent outbreaks against the unfortunate members of that race. This was followed by an era of political corruption similar to that which raged in San Francisco in the fifties.

After much perambulating the state capital finally came to Sacramento to make its permanent home in 1854. The capitol building was completed in 1869. About the same time the great railroad shops were located at the capital and these two acquisitions gave a permanent stability to the city. It is the main distributing center for the great interior valleys and has grown steadily, but has not taken part in the recent phenomenal increase in population which has distinguished the other urban centers of the state.

San Diego was the first settlement in California. After the conquest its population dwindled; it lost its charter in 1852, and in 1867 had but a dozen inhabitants. In that year A. E. Horton, a land promotor, laid out a new city about three miles south of the old one. Within three years the population had grown to 2,300, and in 1872 the city was reincorporated. The next year it was made a port of entry. This prosperity was as short lived as it was sudden, however, and was followed by a crash from which it took the city ten years to recover. In 1884 the Santa Fe railroad system reached the port and since then there has been good progress. During the last ten years San Diego has kept pace with Los Angeles and San Francisco in her rate of growth.

The harbor of San Diego is a beautiful one and next to that of San Francisco is the best natural harbor on the California coast. It has an area

of about twenty-two square miles. The United States has spent upwards of a million dollars in harbor improvements. It is both a naval and military depot. The commercial prosperity of the city is based not only on its harbor facilities but also upon the citrus and grape production of its back country, and the manufacture and distribution of lumber. The Panama-California Exposition is to be held at San Diego during 1915, contemporaneously with the Panama-Pacific Exposition at San Francisco.

Until the discovery of gold in 1848, the history of Los Angeles was the history of California. When the lure of gold brought thousands of people to the northern parts of the state, the southern part was affected only slightly. There was no gold in that region, and from the fact that the Mexicans were not engaged in agricultural pursuits, the Americans concluded that the dry looking lands of the south were not fit for cultivation. So Los Angeles, the center of this district, experienced very little activity during the next thirty years and until 1880 remained a Spanish-American town. During the first twenty of these thirty years it was probably the toughest town in the United States. The activity of vigilance committees formed of Americans in the northern cities drove many desperate characters to Los Angeles where the idle and shiftless Mexican population were more inclined to brawl with them than to

make any determined effort to rid the town of their presence. The massacre of nineteen Chinamen in one evening already referred to was the culmination of this era of crime, the record of which is even blacker than San Francisco's.

The year 1880 marks the beginning of the growth of the present city. The Southern Pacific Railway from San Francisco was completed in 1876, after it had received a donation of $610,000 and sixty acres of land for a terminal from the city as a bonus. The arrival of the road gave a great impetus to the growth of the city. At the same time the agricultural possibilities of the surrounding land were beginning to be appreciated. This led to increased development of the back country, and when the Santa Fe Railroad was completed and began operating in 1885, there ensued the great boom of Los Angeles. This lasted for three years during which the city experienced a phenomenal activity in all lines. While the boom features disappeared in 1888 the city did not suffer from any stagnation and financial break such as usually follows a boom period, but continued a large and steady growth.

This growth has continued in ever increasing proportions until the present day, and the end is not yet in sight. The population of the city has increased from about twelve thousand in 1880 to nearly half a million in 1912, and in every phase the physical appearance and the commercial life

of the city have kept pace with its population. The amount of building in Los Angeles is regularly exceeded by only two or three cities in the United States. There are no slums, and avenues of homes reach for miles in every direction from the business center. Los Angeles is surrounded by a group of smaller cities and beach towns whose life is intimately connected with that of the commercial center.

Fearing a water famine, if the tremendous increase in population continued, Los Angeles in 1907 voted a bond issue of $23,000,000 to construct an aqueduct to bring the waters of Owens River in the high Sierras of Inyo county to the gates of the city, a distance of 209 miles. This enormous undertaking has been carried on entirely by the city and so far has been a model of efficient management. Many records have been broken in its construction and it is expected that it will be completed before the estimated time. It will furnish the city with sufficient water for a population of two million or more people.

Another great undertaking of the people of Los Angeles is the development of a harbor. Not blessed with such natural facilities as have made San Francisco and San Diego famous, Los Angeles has undertaken the improvement of the opportunities which she has on a scale sufficiently grand to rival these two great natural ports with an artificial one. San Pedro, the site of this har-

bor, first began to be used regularly as a port in the decade 1820-1830. Much country produce was shipped here, and there were even small attempts at ship-building as early as 1831. In the forties San Pedro was considered one of the three principal seaports of California, the others being San Diego and Monterey. Abel Stearns, an American, had a warehouse at San Pedro and was several times accused of smuggling. As that was the only way in which one could trade in those days there is little doubt but that the charges were true. He was the principal trader of early San Pedro if not of Los Angeles.

This early trade came to San Pedro in spite of the recognized disadvantages of that place as a harbor. These disadvantages have now been largely eliminated. The outer harbor is protected by a breakwater nearly two miles in length, which was erected by the Federal government at an expense of over $3,000,000. This creates a protected area of 575 acres. The wharfage is in the inner harbor at Wilmington. Both the Federal government and the city of Los Angeles (of which both San Pedro and Wilmington have been a part since 1910) are engaged in improving this portion of the harbor. The government has already spent $2,000,000 here, and the city is pledged to spend $10,000,000 more. The total frontage when completed will be about forty-seven miles. This great artificial harbor which will be-

come the center of greatly increased commercial activity with the opening of the Panama Canal, is already the largest lumber port in the world.

San Francisco has so far retained her position won in the days of gold as the metropolis of the Pacific Coast. In Spanish and Mexican times San Francisco Mission and Yerba Buena were among the least important places in California. San Rafael Mission was originally planned as a new home for the entire colony. Some ships occasionally entered the harbor, but Monterey was the port of the north and the commerce of San Francisco was small indeed. Yerba Buena in 1840 contained only about a half-dozen houses. Los Angeles at that time had about 1,800 inhabitants. La Place described Yerba Buena as "nothing but fogs, fleas, wind, and sterility." Five years later the village had acquired about twenty houses and about 125 inhabitants. Her commerce was beginning to grow on a small scale but no one ever thought of her as the equal of Monterey, San Pedro, or San Diego.

By 1846, however, Yerba Buena had begun to foreshadow its future greatness as a commercial metropolis. The Americans who were coming into the country recognized what the Spaniards and Mexicans never realized, that the bay was one of the greatest harbors in the world. Many of the newcomers settled there. It was more American in its atmosphere than any other place in Cali-

fornia at that time. In 1847 a city was founded across the bay and christened Francesco. The new spirit in Yerba Buena, quick to see the advantage of the name in connection with that of the bay, changed the name of the old Mexican village to San Francisco. This was done by decree of the alcalde. Francesco later became Benicia.

With the announcement to the world of the discovery of gold in California began San Francisco's wonderful growth and her days of trial. She was the chief gateway to the mines, and the thousands of gold-seekers from all parts of the world surged into the little struggling village of a thousand people. Naturally the accommodations offered to these uninvited guests were somewhat questionable in character. Any shed was good enough for a lodging house. The sides were lined with bunks and the tenant furnished his own bedclothes. But even these inhospitable quarters were comfortable in comparison with what most of the new arrivals had endured on shipboard.

The prices of city lots which could serve as the location for any kind of a hostelry or house of entertainment soared to unbelievable figures. Auction sales assisted in this elevation of values. But few if any of the buyers yet realized that there was any permanent greatness in store for San Francisco. They merely bought to seize the profit of the moment in erecting the cheapest of buildings for the accommodation of the gold seek-

ers. Everything about the city was done in a flimsy and temporary manner. Streets were unpaved and even ungraded. There were no sidewalks and the mud was so deep in the winter of 1849 that many animals were left to their fate and even human bodies were afterward found in the mire.

Dwellings were mere shells, often of canvas, rubber, or even cotton cloth. The business buildings were of wood and of such construction as made them an easy prey to fire. A fire once started, there was no way to stop its progress, and there were no doubt men in the city who were entirely willing to start one in the hope of profiting by the confusion. At any rate it was not long before one occurred. The day before Christmas in 1849 the "First Great Fire" swept down Kearny and Washington Streets, destroying property valued at $500,000.

The houses were restored, but in the same flimsy and inflammable manner as before, and less than five months after the first fire, May 4, 1850, a second swept away the business portion of the city with a loss of $3,000,000. The third fire followed in less than six weeks leaving a second loss of $3,000,000. This time it was more serious for it attacked the residence portion of the city and thousands were left homeless. This catastrophe awakened the people of the city to a realization of the necessity of preventing the

recurrence of such losses. Many improvements were attempted but they made headway very slowly at first. Cloth houses and tents were prohibited within the fire limits. Redwood was used in its place. Attempts were made to fill the ditches and grade the streets. Houses were propped up on the high embankments left by the grading. September 17, 1850, the fourth great fire occurred. The loss this time was not so great as in the two previous fires. It hastened the work of improvement but it was not completed in time to prevent the fifth great fire, May 4, 1851. This burned out the heart of the city, destroying a thousand houses and many lives. The property loss was in the neighborhood of $10,000,000. The number of lives lost is unknown.

The work of improvement went on, but one more fire was to help impress the inhabitants of the city with the need of more substantial materials for building construction. This occurred June 22, 1851. After that buildings of brick and granite began to make their appearance, and San Francisco until 1906 was able to confine fires to small areas as other cities have generally succeeded in doing. Only the wealth from the mines enabled the city to withstand these repeated blows. The rumors of incendiary origin of these fires was one of the things which led to the formation of the Vigilance Committee of 1851.

To add to the burdens of the suffering city

crooked politics early began to show its head. As early as the winter of 1848-49 two councils, both claiming to be legitimate, struggled for supremacy. The dispute lasted for six months while the state itself had no government and the dissension opened wide the door to lawlessness. The riff-raff of the New York Volunteers and other kindred spirits formed a society for the advancement of crime under the name of the "Hounds," which was afterwards euphemized to "Regulators." The headquarters of this organization was a tent bearing the significant name of "Tammany Hall."

The drinking and brawling among this idle lot of vagabonds and desperadoes led to insufferable political corruption, race riots, and unbridled crime. The manner in which a city council, owing its place largely to such influences as these, squandered the city's money is almost unbelievable. As the culmination of their breach of trust they voted to each alderman a salary of $6,000 and to the mayor $10,000 and paid it. The manner in which the decent citizens of the community, no longer able to bear with such crime and corruption, arose, formed themselves together in the extra-legal body known as the Vigilance Committee, and wrested the city from the control of the bandits has already been described.

After the disturbances caused by the Kearney riots of 1877, San Francisco settled down to a

steady growth in commerce and in construction which was accompanied by nothing more exciting than the ordinary municipal routine. Her splendid bay, containing 420 square miles of land-locked water, affords anchorage sufficient for the navies of the world. The waterfront has been improved and developed by the state and is under the control of Harbor Commissioners appointed by the governor. The other harbors in the state have been built by the cities themselves. In 1894 the California Midwinter International Exposition was held in Golden Gate Park. The acquisition of the Philippine Islands in 1898 opened to San Francisco a new outlook upon the growing trade of the Pacific and the commerce of the Orient. She rapidly took advantage of her opportunity, and her prosperity and happiness were known in all quarters of the globe.

"God help the city if any great catastrophe of this nature [earthquake] should ever take place! Her huge granite and brick palaces, of four, five, and six stories in height, would indeed make a prodigious crash, more ruinous both to life and property than even the dreadful fires of 1849, 1850 and 1851. This is the greatest, if not the only possible obstacle of consequence to the growing prosperity of the city, though even such a lamentable event as the total destruction of half the place like another Quito or Caracas would speedily be remedied by the indomitable energy

and persevering industry of the American character." This paragraph appears in the *Annals of San Francisco* published in 1855. What a prophecy!

While the city was on the very crest of its great wave of prosperity and happiness, came the great earthquake which laid her pride in the dust. At thirteen minutes after five o'clock on the morning of Wednesday, April 18, 1906, the inhabitants of the city were awakened from their sleep by the ominous rumble which heralds the earthquake. Those who had lived in San Francisco or other parts of California for any period of time thought nothing of it at first. They had experienced many temblors and they held no more of terror for them than the thunderstorm holds for the average citizen of the eastern states. But it was soon seen that this was no slight temblor. Houses tumbled, buildings fell, screams of men and women in agony rent the air, and it took but a few minutes for all to realize that a great catastrophe was upon them.

Those who remained unhurt turned at once to the work of rescue but they had hardly begun when the cry of " Fire! " spread through the city. Here was a new foe which must be fought. Calls came in from all parts of the city and every fire company in the department hastened in response. But all too soon the terrible truth was learned. The earthquake had destroyed the water mains

and there was no water with which to fight the fast spreading flames.

Sullenly and doggedly the people retired before this foe which could not be fought. Taking what of their worldly goods was most precious, they sought the neighboring hills and silently watched their fair city go down in ruin before the advancing flames. For three days the city was a mass of fire and long after it had burnt out was too hot to be entered. Practically the entire business section and many adjacent districts were destroyed. The total property loss approached five hundred million dollars, the greatest catastrophe of its kind in history.

But it was not the money loss which was first to be considered. Over two hundred thousand people were homeless. These camped in the parks and the military reservations, where conditions soon became indescribable. There were no sanitary arrangements for this vast horde, and disease and plague would have followed fast on the heels of earthquake and fire. The towns immediately surrounding were as helpless as the metropolis. From these no aid could be expected. But from the more remote parts of the state at first and later from all parts of the country, relief trains were sent in. Food, clothing, shelters, medicines and dressings, were supplied with a lavish hand by a sympathetic people. The terrible situation was relieved and the suffering alleviated. This

SAN FRANCISCO AFTER THE EARTHQUAKE AND FIRE OF 1906

done, the question immediately followed, "What of the future?"

Before the answer to this question is read, however, the nature of this great earthquake deserves consideration. Beside the frequent temblors which are merely the subject of passing remark by the people of California, there have been four earthquakes previous to that of 1906 which have proved destructive to life and property in the state. These occurred in 1812, 1839, 1865, and in 1868. The latter caused five deaths and destroyed several old houses.

The earthquake of 1906 was not volcanic, but was due to the giving way of the crust of the earth under the strain of too great pressure. The rift began in the sea off Cape Mendocino. It entered the land just above Punta Arena and followed the shore line to Chittenden on the Pajaro River. The vertical shift in position of the earth on opposite sides of this rift averaged three to four feet for this entire distance of nearly two hundred miles. The horizontal shift was from eight to fifteen feet. The destructive power exhibited along the exact line of the fault was tremendous. The greater the distance from this line, the less noticeable the effect. The fault line crossed the city of San Francisco and in the soft sandy soil of that region the earthquake's power was at its height.

What this power could do as against the works

of man's hand it took but a few minutes to demonstrate. Five hundred and fourteen city blocks lay in ruins and the prey of the flames. Three thousand acres of ground in the center of the city were a mass of red-hot bricks and twisted steel. Twenty-eight thousand buildings crashed to the ground or were brought down by the flames. About half of these were commercial buildings; the remainder were dwellings.

"What of the future?" Many of those who read of the frightful destruction shook their heads and sadly prophesied that San Francisco would never again rise from her ruins. But the San Franciscan who gazed upon the smouldering wreck of his city, then and there made up his mind. The city must be rebuilt. He would not desert. Even in the midst of shock and flame, the San Franciscans could be heard calling each other's attention to features of the old city which must be avoided in the new. Before the ruins had cooled, placards appeared. "Don't talk earthquake, talk business." The first contract for a large building was signed within six days after the disaster.

And to the faithfulness with which the San Franciscan carried out his determination, the San Francisco of today is a splendid monument. Men who had money poured it into the work of rebuilding. Laborers flocked into the city. Capitalists and labor unionists joined hands to restore,

in such form that another earthquake would not find them unprepared, the great business centers of the city. In three years, almost every scar was gone. A new and greater city was where the old had stood. The re-building of San Francisco is unparalleled in the history of the world.

And the city did not stop with restoration. She has continued to grow from that day to this and is apparently on the eve of an even greater development. Her eight miles of wharfage is being extended and is to be further extended at an expense of $25,000,000, to accommodate the increased traffic which is expected from the growth of Oriental commerce and the opening of the Panama Canal. To commemorate this great event which promises so much for the future of the city which but seven years ago lay in ruins, San Francisco has invited the world to the Panama-Pacific Exposition to be held in 1915. At that time thousands of those who predicted for San Francisco the fate of Pompeii will have an opportunity to see that in peoples as in men that which is impossible for old age can be done by the dynamic force of spirited youth.

APPENDIX

MISSIONS AND DATES OF FOUNDING

July 16, 1769, San Diego de Alcála.
June 3, 1770, San Carlos Borromeo de Monterey.
July 14, 1771, San Antonio de Padua.
Sept. 8, 1771, San Gabriel Arcangel.
Sept. 1, 1772, San Luis Obispo de Tolosa
Oct. 30, 1775, San Juan Capistrano.
Oct. 9, 1776, San Francisco de Asis (or Dolores).
Jan. 12, 1777, Santa Clara.
Mar. 31, 1782, San Buenaventura.
Dec. 4, 1786, Santa Barbara.
Dec. 8, 1787, La Purisima Concepcion.
Aug. 28, 1791, Santa Cruz.
Oct. 9, 1791, La Soledad.
June 11, 1797, San José.
June 24, 1797, San Juan Bautista.
July 25, 1797, San Miguel Arcangel.
Sept. 8, 1797, San Fernando Rey de España.
June 13, 1798, San Luis Rey de Francia.
Sept. 17, 1804, Santa Inés.
Dec. 14, 1817, San Rafael Arcangel.
July 4, 1823, San Francisco Solano.

MISSION PRESIDENTS

July 14, 1767 — Aug. 28, 1784, Junípero Serra.
Aug. 28, 1784 — Sept., 1785, Francisco Palou (Acting).

Sept., 1785 — June 26, 1803, Fermin Francisco de Lasuen.
June 26, 1803 — Dec., 1812, Estevan Tapis.
Dec., 1812 — Nov. 22, 1815, José Señan.
Nov. 22, 1815 — Apr. 1, 1820, Mariano Payeras.
Apr. 1, 1820 — Aug. 24, 1823, José Señan.
Aug. 24, 1823 — Apr., 1823, Francisco Vicente Sarría.
Apr., 1825 — Sept., 1827, Narciso Duran.
Sept., 1827 — June, 1831, José Bernardo Sanchez.
June, 1831 — 1838, Narciso Duran.
1838 — 1846, Joaquin Jimeño.

PREFECTS

FERNANDINE

July, 1813 — Apr. 1, 1820, Francisco Vicente Sarría.
Apr. 1, 1820 — Apr. 28, 1823, Mariano Payeras.
Apr. 28, 1823 — Aug. 24, 1823, José Señan.
Aug. 24, 1823 — 1830, Francisco Vicente Sarría (Acting).
1830 — 1837, Office vacant.
1837 — June 1, 1846, Narciso Duran.

ZACATECAN

Jan. 15, 1833 — 1834, Francisco Garcia Diego.
1834 — Nov. 1838, Rafael Moreño.
Nov., 1838 — 1845, Jesus Gonzalez Rubio.

Note: Many dates for the changes in these offices are missing, especially in the later years.

GOVERNORS OF CALIFORNIA

SPANISH

July 1, 1769 — Mar., 1770, Gaspar de Portolá.
Mar. 4, 1775, Felipe de Barri.
July 12, 1782, Felipe de Neve.
Apr. 16, 1790, Pedro Fages.
Apr. 9, 1792, José Antonio Romeu.
May 14, 1794, José Joaquin de Arrillaga (Acting).
Nov. 16, 1804, Diego de Borica.
July 24, 1814, José Joaquin de Arrillaga.
Mar. 31, 1815, José Dario Arguello (Acting).
Nov. 10, 1822, Pablo Vicente de Sola.

MEXICAN

Nov., 1825, Luis Antonio Arguello (Acting).
Jan. 31, 1831, José Maria Echeandia.
Dec. 9, 1831, Manuel Victoria.
Jan. 15, 1833, North — Agustin V. Zamorano; South — José Maria Echeandia.
Sept. 29, 1835, José Figueroa.
Jan. 2, 1836, José Castro.
May 3, 1836, Nicolas Gutierrez.
Aug. 10, 1836, Mariano Chico.
Nov. 5, 1836, Nicolas Gutierrez.
Dec. 7, 1836, José Castro.
Dec. 31, 1842, Juan Bautista Alvarado.
Feb. 22, 1845, Manuel Micheltorena.

July 7, 1846, Pio Pico.
Jan. 11, 1847, José Maria Flores.
Jan. 13, 1847, Andres Pico.

UNITED STATES MILITARY

July 7, 1846 — July 29, 1846, John D. Sloat.
Jan. 19, 1847, Robert F. Stockton.
Feb. 23, 1847, John Charles Fremont.
May 31, 1847, Stephen W. Kearny.
Feb. 26, 1849, Richard B. Mason.
Apr. 12, 1849, Persifor F. Smith.
Dec. 20, 1849, Bennet Riley.

GOVERNORS OF THE STATE

Dec. 20, 1849 — Jan. 9, 1851, Peter H. Burnett. D.
Jan. 8, 1852, John McDougall. D.
Jan. 9, 1856, John Bigler. D.
Jan. 8, 1858, John Neely Johnson. Amer.
Jan. 9, 1860, John B. Weller. D.
Jan. 14, 1860, Milton G. Latham. D.
Jan. 18, 1862, John G. Downey. D.
Dec. 10, 1863, Leland Stanford. R.
Dec. 5, 1867, Frederick F. Low. Union.
Dec. 8, 1871, Henry H. Haight. D.
Feb. 27, 1875, Newton Booth. R.
Dec. 9, 1875, Romualdo Pacheco. R.
Jan. 8, 1880, William Irwin. D.
Jan. 10, 1883, George C. Perkins. R.
Jan. 8, 1887, George Stoneman. D.

Sept. 13, 1887, Washington Bartlett. D.
Jan. 8, 1891, Robert W. Waterman. R.
Jan. 11, 1895, H. H. Markham. R.
Jan. 4, 1899, James H. Bride. D.
Jan. 7, 1903, Henry T. Gage. R.
Jan. 9, 1907, George C. Pardee. R.
Jan. 3, 1911, James N. Gillett. R.
Jan. 3, 1911 — Hiram Johnson. R.

POPULATION OF STATE BY DECADES

Year	State	San. Fr.	Los Ang.	Oakland	San Die.	Sacram.
1780....	600*	.....	46	.....	.....	.....
1790....	970	.....	140	.....	.....	.....
1800....	1,200	.....	315	.....	.....	.....
1810....	2,130	.....	365	.....	.....	.....
1820....	3,270	.....	615	.....	.....	.....
1830....	4,250	300	1,000*	.....	.....	.....
1840....	6,000†	280	1,800*	.....	.....	.....
1850....	92,579	34,000*	1,610	.....	.....	6,820
1860....	379,994	56,802	4,399	1,543	731	13,785
1870....	560,247	149,473	5,614	10,500*	2,300*	16,283
1880....	864,694	233,959	11,183	34,555	2,637	21,400
1890....	1,208,130	298,997	50,395	48,682	16,159	26,386
1900....	1,485,053	342,782	102,479	66,960	17,700	29,282
1910....	2,377,549	416,912	319,198	150,174	39,578	44,696

* Estimated.

† Estimated from figures for 1841.

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